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THE PUNJAB

REGISTRATION MANUAL,
1919.



Lahore :

PRINTED BY THE SUPERINTENDENT GOVERNMENT PRINTING PUNJAB
1919.

PREFACE TO THE EDITION OF 1910.

In this new edition of the Registration Manual have been incorporated all orders passed by the Local Government under section 14, the proviso to section 17 (*d*), sections 36 and 78 of the Registration Act. These appear in paragraphs 1 to 5 and 15 to 21, 138, 139 and Appendix I.

It also contains the rules made by the Inspector-General under section 69 : these rules are marked with a line in the margin. The remainder of the book consists of explanations and executive instructions. All the circulars of the Inspector-General may be regarded as superseded by this Manual.

The work of revision was done by Mr. H. D. Watson, when officiating as Inspector-General.

W. S. HAMILTON,

PREFACE TO THE EDITION OF 1919.

The only reason for issuing the present edition is the fact that the previous edition of 1910 has been exhausted. There has been no revision beyond a few alterations which were found to be necessary in order to bring the Manual up to date or for other reasons.

RAHIM BAKHSI,
Inspector-General of Registration, Punjab.

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INTRODUCTION.

1. A machinery for the registration of documents, originally no doubt crude and incomplete, has existed in the Punjab almost from the time when it came under British rule. In the "Rules for the Administration of Civil Justice in the Punjab and Cis-Sutlej Province, published by order of the Right Honourable the Governor-General of India," promulgated in the Judicial Circular of the Board of Administration for the affairs of the Punjab, No 216, dated 3rd July 1849, special provision was made in Section XI for the "Registry of deeds," as follows :—

"An office for the registry of deeds shall be established in the several districts under the immediate charge of the Assistant Commissioner or uncovenanted as the Commissioner shall determine. A single book to be made of paper of English manufacture, will, for the present, suffice; the pages of this book are to be numbered, and each leaf is to be signed with his initials by the officer entrusted with the register, who is to certify at the end of the book how many pages it contains, and to affix his signature at full length, with the date, to the certificate. A fee of one rupee is to be paid on the registry of any deed; and a fee of . . . of the books who . . . and provision . . . to register . . .

Similar orders for the establishment of offices of registry in our earlier acquisitions in the Cis and Trans Sutlej States had previously been issued in 1847

2. It was not, however, until 1856 that any detailed rules were issued for the guidance of registering officers. These rules were promulgated in the Circular of the Judicial Commissioner, No 14, dated 24th July 1856; and as they introduced important changes of practice, and remained substantially in force for more than eleven years they are here introduced *in extenso* :—

I In each district and each tehsil, there will be appointed a Registrar of Deeds. The latter Registrar will be appointed by the Deputy Commissioner, subject to confirmation by the Commissioner, and will usually be the Extra Assistant, if qualified by a knowledge of the English language. The . . .

will be the Registrar for his tehseeldaree. In the event of a temporary vacancy occurring in either of these offices, the Deputy Commissioner of the district will appoint a *locum tenens*, in order that there may be no cessation, however short in the functions of Registrar. The Tehseeldars will, in the capacity of Registrars, be subordinate to the Sudder Registrar who will exercise a strict supervision and control over their proceedings.

II The saller and tehseeldaree registration shall publicly be conducted at the Sudder and tehseel offices, respectively, at specified hours on every day except holidays.

III Deed of every kind in any language, instruments and conveyances regarding property, both real and personal, loans and contracts of all descriptions, all pecuniary obligations and acquittances and social engagements relating to adoption, betrothal and the like, may be registered, and the date of the deed or of the transaction, shall not bar registration in any office. But the Registrar can, for recorded reasons, refuse to register any document which he may consider improper to be registered, provided that when a Tehseel Registrar may have occasion to exercise this discretion, he shall report the circumstance to the Sudder Registrar.

IV Deeds written in the English language shall be registered only by the Sudder Registrar.

V Sudder Registrars may register documents without any restriction as to place, that is to say, a deed may be registered in one district regarding real property situated in another, or a contract between parties resident elsewhere. But all property shall have the registration deed, with the fee (which shall be in addition to that paid for registration in the local office) shall be sent to the registration office of the district in which the property may be situated. On the other hand a Tehseel Registrar will only grant registration when the property may be situated in his tehseeldaree, and when the subject matter of the contract may lie, and one or other of the parties thereto may be resident within his jurisdiction. But it will not be compulsory on any party to register at the tehseel office of the pargannah in which he resides. He will have the option of registering at a sudder office.

VI The parties requiring registration, or their representatives should attend at the registration office with two witnesses (the old law must attend), and shall produce the original document with a correct copy, without interpolations or erasures, signed as the original, on plain paper. If the Registrar see any erasure, interpolation, or obscurely written words or other error, he will return the document to be re-written. The parties will solemnly certify to the reality and execution of the instrument, and the witnesses will swear to the personal identity

of the parties. The Registrar will then cause the copy to be compared with the original, recording thereon, with his signature, the date and time of execution, and the names, caste and residence of the witnesses, file it in the office, and forthwith enter the particulars in the registration index book to be described hereafter. A similar endorsement will be made on the original, together with a specification of the page of the registration book in which its registration is entered, and it will then be restored to the parties. The production in court of an original deed thus endorsed will be accepted as sufficient proof of registration.

VII Registrars will satisfy themselves as to the respectability of the attesting witnesses, and they will exercise ordinary vigilance for the prevention of false personation or any other fraud, and if fraud be apprehended, the Registrar may exercise the power of withholding registration, recording, at the same time, his reasons for so doing.

VIII The representatives of parties registering will hand their powers of attorney to the Registrar who, after verifying them by evidence taken upon oath, will cause them to be filed.

IX. The register book or diary will be kept in the

- | | | |
|---|---|--|
| 1 | Date of registration | annexed form, every |
| 2 | Hour of day | entry will be signed by |
| 3 | Description and nature of deed or other document registered | the Registrar, and will |
| 4 | Property where situated | be made at the time of |
| 5 | Date of transaction | registration. The copies |
| 6 | Names, parentage, caste and residence of parties who attend in person with a description of their personal appearance | or memorials of the documents registered will be |
| 7 | Names, parentage, caste and residence of witnesses with a description of personal appearance | entered in <i>file</i> books, |
| 8 | Names, parentage, caste and residence of attorney or attorneys with a description of personal appearance | annually, according to |
| 9 | Registrar's signature | the order of registration. |

At the close of the year an alphabetical index to the diary will be prepared in the subjoined form and

attached to the volume of counterparts. —

NAMES OF PERSONS WHO
EXECUTED THE DEED

NATURE OF DEED.

PAGE OF DIARY FOR
185 AND NO. OF
THE DEED

Alla Singh	—	—	Marriage contract	—	Page 24, No. 10.
Chagutta	...	—	Bond	—	Page 22, No. 12

The Tehseel Registrars will forward their diaries and indexes at the close of each year to the Sudder Registrar, who will return them, duly countersigned, to their respective offices.

XVI Bound books of quarto size and country paper of 100 leaves will be furnished to the various mofu sil registration offices. They should be made up by the Sudder Registrar, and will after signature on the first and last page, the leaves, being all numbered, be despatched to the different Tehseeldars, who will be required to forward the cost when applying for them. At the close of each year the Sudder Registrar will submit to the Deputy Commissioner a statement as per margin*

* *Do and specification of Deeds registered*

Deeds of sale or gift	Deeds of mortgage on land	Deeds of conveyance for temporary transfer of real property	Wills	Authorities to adopt contracts	Obligations for payment of money	Contracts and the like	Amount of fees received certificate of examination and countersignature of registrar
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[A B — The headings to be extended if necessary]

Deputy Registrar's office

Deputy Registrar's office of Tehseel —

Deputy Registrar's office of Tehseel —

Total

Deputy Commissioner or Commissioners, with a view to improving the system

showing the number of deeds which may have been registered in each registry office and the amount of fees received, and certify examination and countersignature of the registers. This statement is to accompany the Annual Civil Report, with any remarks that may occur to the Sudder Registrar, Deputy Com-

In 1859 certain changes were made in the civil law of the Province and promulgated in the Judicial Commissioner's Book Circular No 11, dated 11th March of that year, which contained, amongst other things, the following rules for the better regulation of documentary evidence in which the registration of certain documents was, for the first time, made obligatory in the Punjab —

(1) A bond is defined to be a written acknowledgment of obligation signed, marked or sealed by the obligor, in the presence of two subscribing witnesses.

(2) Except in transactions between European British subjects, all bonds (other than bills of exchange) for fifty (50) rupees and upwards must be registered, otherwise they will not be admissible as evidence in our courts. Judicial officers however shall have a discretionary power, to be very sparingly used, of admitting an unregistered bond for fifty (50) rupees or upwards in special cases such as —

the *jagirdar* registrars created in 1860, as already mentioned in paragraph 4

7 The changes thus effected in the registration system of the province may be thus summarized —

Changes of system
thus effected.

(1) *As to the effect of registration* — The registration of all instruments of gift of immoveable property, of all leases for any term exceeding one year, and of all other instruments with a few exceptions) relating to immoveable property of the value of one hundred rupees or upwards was made compulsory on penalty of not being receivable in evidence or not conferring a valid title the registration of all other documents was left optional. Registered instruments obtained priority over oral or unregistered agreements relating to the same property. A registered document operated, not (as in the older rules) from date of registration but from 'the time from which it would have commenced to operate if no registration thereof had been required or made'. In the case of certain engagements and contracts of which registration was optional, registration extended the period within which a suit founded thereon could be brought from three to six years.

(2) *As to jurisdiction* — Instruments relating to immoveables could be registered in the office of the sub-registrar within whose sub district the whole or any portion of the property concerned was situate or in the office of the Registrar of that district, or in the office of the Registrar General. Other documents could be registered in any office desired by the parties concerned.

(3) *As to time* — Instruments were required to be brought for registration within four months or on payment of a fine for delay and on sufficient cause shown thereafter within eight months of date of execution.

(4) *As to procedure* — Parties desiring to register were no longer allowed to file their own copies, but the instruments were copied by the registration establishment into register books containing printed forms and numbered pages supplied from the central office the entries being authenticated by the registering officer.

8. One peculiar feature of the Registration Act of 1866 deserves separate mention; it provides for the payment of money by the obligor and obligee agreed that in the event of the obligation not being duly satisfied, the amount might be recovered in a summary way, and applied to the registering officer to record such agreement, and the registering officer made such record by endorsement on the document signed by him. This provision became *prima facie* evidence that the obligee was at liberty to sue for the amount one year from the date on which the amount became payable. This provision of the law, however, not having been repeated in the Registration Act of 1871, ceased to be in force from the 1st July of that year.

9. In October 1868, certain documents of the Revenue and Survey Departments were exempted from the compulsory clause of the Registration Act, by Act XXVII of 1868; and this exemption, having been embodied in subsequent Registration Acts, continues in force up to the present time.

10. On the 1st July 1871, Act VIII of that year came into force, superseding Acts XI of 1863 and XXVII of 1868, and its provisions for the most part still continue in force. The principal changes which were effected in the law were, (1) the abolition of the office of the Registrar-General as an office of record and registration, and the limitation of the duties of that officer to the supervision and general superintendence, under the designation of "Inspector General of Registrations," (2) the addition of authorities to adopt a summary mode of registering instruments the registration of which was previously compulsory, and (3) the abolition of "special registration," as noticed in paragraph 8. This Act remained in force until the 1st April 1877, when it was repealed by Act VII of that year.

11 The principal alterations in the previous law effected by Act III of 1877, as amended by Acts XII of 1879, XIX of 1883, VII of 1886, VII of 1888 and XVII of 1899, may be briefly summarized thus—

(1) The provision for the establishment within a single sub district of more than one registering officer, under the designation of joint sub registrars, a provision of which use has largely been made

(2) The transfer of eight descriptions of documents from the compulsory to the optional class

(3) The extended jurisdiction given to the Registrar of Lahore, who is empowered to receive and register documents relating to immovable property "without regard to the situation in any part of British India of the property to which the document relates"

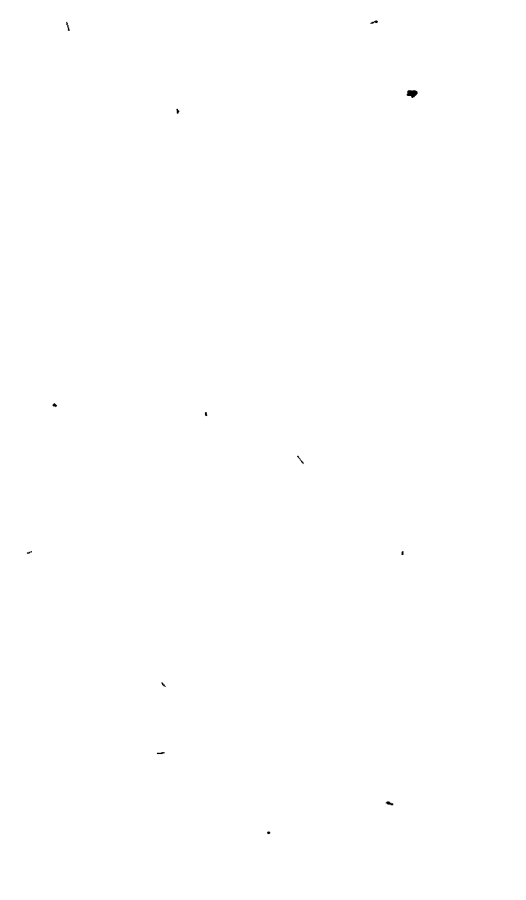
(4) The amendment made in section 35 in respect of documents executed by several persons. Previously denial of execution by, or on behalf of, any one of the persons purporting to have executed would have been fatal to the registration of the document, and the same result would have followed if any one of those persons appeared to be a minor, an idiot, or a lunatic, now, the registering officer is required to refuse to register only "as to the person so denying or appearing," but as to the other persons, registration proceeds in the ordinary manner

(5) The withdrawal of the right of appeal to the District Court from the order of a Registrar refusing to register or to direct registration of a document. Such order is now final, but any person claiming under the document may, within 30 days, bring a regular suit for a decree directing the document to be registered

(6) The special mode of registration, prescribed in section 59, of (a) orders granting loans under the Land Improvement Act or the Agriculturists Loans Act, and (b) certificates of sale of immovable property granted under the Code of Civil Procedure or by a Revenue Officer to a purchaser at a public auction. In the former case the Revenue Officer granting the loan, and in the latter

case the court or officer granting the certificate, is required to send a copy of the order or certificate (as the case may be) to the registering officer within whose jurisdiction the immoveable property concerned is situate and such registering officer is required to file it in his Book No. 1

12 The Registration law now in force is Act XVI of 1908. This is merely a consolidating enactment and has introduced no changes of any material character. But the opportunity has been taken to revise and republish the departmental rules which the Act empowers the Local Government to sanction.



THE INDIAN REGISTRATION ACT, XVI OF 1908.

THE INDIAN REGISTRATION ACT, 1908.

ACT No. XVI of 1908.

PASSED BY THE GOVERNOR-GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor-General on the 18th December 1908.)

An Act to consolidate the enactments relating to the Registration of Documents.

WHEREAS it is expedient to consolidate the enactments relating to the registration of documents; it is hereby enacted as follows:—

PART I.

PRELIMINARY.

Short title, extent and commencement

1. (1) This Act may be called the Indian Registration Act, 1908

(2) It extends to the whole of British India, except such districts or tracts of country as the Local Government may, with the previous sanction of the Governor-General in Council, exclude from its operation.

(3) It shall come into force on the first day of January 1909

Definitions

2 In this Act, unless there is anything repugnant in the subject or context,—

(1) “addition” means the place of residence, and the profession, trade, rank and title (if any) of a person described, and, in the case of a Native of India, his caste (if any) and his father’s name, or where he is usually described as the son of his mother, then his mother’s name;

(2) “book” includes a portion of a book and also any number of sheets connected together with a view of forming a book or portion of a book:

- (3) "district" and "sub district" respectively mean a district and sub district formed under this Act
- (4) "District Court" includes the High Court in its ordinary original civil jurisdiction
- (5) "endorsement" and "endorse" include and apply to an entry in writing by a registering officer on a rider or covering slip to any document tendered for registration under this Act
- (6) 'immovable property' includes land, buildings, hereditary allowances, rights to ways lights, ferries fisheries or any other benefit to arise out of land and things attached to the earth, or permanently fastened to anything which is attached to the earth, but not standing timber, growing crops nor grass
- (7) 'lease' includes a counterpart kabuliyat an undertaking to cultivate or occupy and an agreement to lease
- (8) "minor" means a person who, according to the personal law to which he is subject, has not attained majority
- (9) 'moveable property' includes standing timber growing crops and grass fruit upon and juice in trees and property of every other description except immovable property and
- (10) 'representative' includes the guardian of a minor and the committee or other legal curator of a lunatic or idiot.

PART II.

OF THE REGISTRATION ESTABLISHMENT

3 (1) The Local Government shall appoint an Inspector-General of Registration for the territories subject to such Government

Provided that the Local Government may, instead of making such appointment, direct that all or any of the powers and duties hereafter conferred and

imposed upon the Inspector-General shall be exercised and performed by such officer or officers, and within such local limits, as the Local Government appoints in this behalf.

(2) Any Inspector General may hold simultaneously any other office under Government.

4. (1) The Governor of Bombay in Council may also, with the previous consent of the Branch Inspector-General of Sindh, Governor-General in Council, appoint an officer to be Branch Inspector-General of Sindh, who shall have all the powers of an Inspector-General under this Act other than the power to frame rules hereinafter conferred.

(2) The Branch Inspector-General of Sindh may hold simultaneously any other office under Government.

5. (1) For the purposes of this Act, the Local Government shall form districts and sub-districts, and shall prescribe, and may alter, the limits of such districts and sub-districts.

(2) The districts and sub districts formed under this section, together with the limits thereof, and every alteration of such limits, shall be notified in the local official Gazette.

(3) Every such alteration shall take effect on such day after the date of the notification as is therein mentioned. —

6. The Local Government may appoint such persons, whether public officers or not, as it thinks proper, to be registrars of the several districts, and to be Sub-Registrars of the several sub districts formed as aforesaid, respectively.

7. (1) The Local Government shall establish in every district an office to be styled the office of the Registrar and in every sub-district an office or offices to be styled the office of the Sub-Registrar or the offices of the Joint Sub-Registrars.

(2) The Local Government may amalgamate with any office of a Registrar any office of a Sub-Registrar subordinate to such Registrar, and may authorize any

Sub-Registrar whose office has been so amalgamated to exercise and perform, in addition to his own powers and duties, all or any of the powers and duties of the Registrar to whom he is subordinate

Provided that no such authorization shall enable a Sub-Registrar to hear an appeal against an order passed by himself under this Act

8 (1) The Local Government may also appoint Inspectors of Registration offices Re officers, to be called Inspectors of Registration offices and may prescribe the duties of such officers

(2) Every such Inspector shall be subordinate to the Inspector-General

9 Every military cantonment may (if the Local Government so directs) be, for the purposes of this Act Military cantonment may be declared sub districts or tracts a sub district or a district, and the Cantonment Magistrate shall be the Sub-Registrar or the Registrar of such sub district or district as the case may be

10 (1) When any Registrar, other than the Absence of Registrar or vacancy in his office Registrar of a district including a Presidency-town, is absent otherwise than on duty in his district, or when his office is temporarily vacant any person whom the Inspector-General appoints in this behalf, or, in default of such appointment, the Judge of the District Court within the local limits of whose jurisdiction the Registrar's office is situate, shall be the Registrar during such absence or until the Local Government fills up the vacancy

(2) When the Registrar of a district including a Presidency-town is absent otherwise than on duty in his district, or when his office is temporarily vacant, any person whom the Inspector General appoints in this behalf shall be the Registrar during such absence, or until the Local Government fills up the vacancy.

11 When any Registrar is absent from his office Absence of Registrar on duty in his district on duty in his district, he may appoint any Sub Registrar or other person in his district to perform, during such absence, all the duties of a Registrar except those mentioned in sections 65 and 72

12 When any Sub Registrar is absent, or when his office is temporarily vacant, any person whom the Registrar of the district appoints in this behalf shall be Sub-Registrar during such absence, or until the Local Government fills up the vacancy

Absence of Sub Registrar or vacancy in his office

13 (1) All appointments made under section 10, section 11 or section 12 shall be reported to the Local Government by the Inspector General

Report of certain appointments and suspension and removal and dismissal of officers

(2) Such report shall be either special or general, as the Local Government directs

(3) The Local Government may suspend, remove or dismiss any persons appointed under the provisions of this Act, and appoint another person in his stead

14 (1) Subject to the approval of the Governor General in Council the Local Government may assign such salaries as such Government deems proper to the registering officers appointed under this Act or provide for their remuneration by fees, or partly by fees and partly by salaries

Remuneration and establishments of registering officers

(2) The Local Government may allow proper establishments for the several offices under this Act

15 The several Registrars and Sub Registrars shall use a seal bearing the following inscription in English and in such other language as the Local Government directs — "The seal of the Registrar (or of the Sub Registrar) of

Seal of registering officers

16 (1) The Local Government shall provide for the office of every registering officer the books necessary for the purposes of this Act

Register book and fire proof boxes

(2) The books so provided shall contain the forms from time to time prescribed by the Inspector General with the sanction of the Local Government, and the pages of such books shall be consecutively numbered in print and the number of pages in each book shall be certified on the title-page by the officer by whom such books are issued

(3) The Local Government shall supply the office of every Registrar with a fire proof box, and shall in each district make suitable provision for the safe custody of the records connected with the registration of documents in such district

PART III.

OF REGISTRABLE DOCUMENTS

17 (1) The following documents shall be registered, if the property to which they relate is situate in a district in which, and if they have been executed on or after the date on which Act No XVI of 1864 or the Indian Registration Act 1866, or the Indian Registration Act 1871, or the Indian Registration Act, 1877, or this Act, came or comes into force, namely —

Documents of which registration is compulsory

XX of 1866
VIII of 1871
III of 1877

- (a) instruments of gift of immoveable property,
- (b) other non testamentary instruments which purport or operate to create, declare, assign, limit or extinguish whether in present or in future, any right title or interest, whether vested or contingent, of the value of one hundred rupees and upwards, to or in immoveable property,
- (c) non testamentary instruments which acknowledge the receipt or payment of any consideration on account of the creation declaration assignment limitation or extinction of any such right, title or interest, and
- (d) leases of immoveable property from year to year, or for any term exceeding one year, or reserving a yearly rent

Provided that the Local Government may, by order published in the local official Gazette exempt from the operation of this sub section any leases executed in any district, or part of a district, the terms granted by which

do not exceed five years and the annual rents reserved by which do not exceed fifty rupees.

{ Under this proviso the Lieutenant-Governor has exempted from compulsory registration

(a) agricultural leases ;

(b) leases executed by or on behalf of or in favour of Government ;

the terms granted by which do not exceed five years and the annual rents reserved by which do not exceed Rs 50 *Punjab Government Notification No. 29 of 4th July 1898 and No 81 of 16th December 1901.*]

(2) Nothing in clauses (b) and (c) of sub-section (1) applies to—

(i) any composition-deed ; or

(ii) any instrument relating to shares in a Joint Stock Company, notwithstanding that the assets of such Company consist in whole or in part of immoveable property ; or

(iii) any debenture issued by any such Company and not creating, declaring, assigning, limiting or extinguishing any right, title or interest, to or in immoveable property except in so far as it entitles the holder to the security afforded by a registered instrument whereby the Company has mortgaged, conveyed or otherwise transferred the whole or part of its immoveable property or any interest therein to trustees upon trust for the benefit of the holders of such debentures ; or

(iv) any endorsement upon or transfer of any debenture issued by any such Company ; or

(v) any document not itself creating, declaring, assigning, limiting or extinguishing any right, title or interest of the value of one hundred rupees and upwards to or in immoveable property, but merely creating a right to obtain another document which will, when executed, create, declare, assign, limit or extinguish any such right, title or interest ; or

- (vi) any decree or order of a Court and any award ; or
 - (vii) any grant of immoveable property by Government ; or
 - (viii) any instrument of partition made by a Revenue officer ; or
 - (ix) any order granting a loan or instrument of collateral security granted under the Land Improvement Act, 1871, or the Land Improvement Loans Act, 1893 ; or xxvi of 1871.
xix of 1893.
 - (x) any order granting a loan under the Agriculturists Loans Act, 1884, or instrument for securing the repayment of a loan made under that Act ; or xii of 1884
 - (xi) any endorsement on a mortgage-deed acknowledging the payment of the whole or any part of the mortgage-money, and any other receipt for payment of money due under a mortgage when the receipt does not purport to extinguish the mortgage ; or
 - (xii) any certificate of sale granted to the purchaser of any property sold by public auction by a Civil or Revenue officer.
- (3) Authorities to adopt a son, executed after the first day of January 1872, and not conferred by a will, shall also be registered.

18. Any of the following documents may be registered under this Act, namely :—
Documents of which registration is optional

- (a) instruments (other than instruments of gift and wills) which purport or operate to create, declare, assign, limit or extinguish, whether in present or in future, any right, title or interest, whether vested or contingent, of a value less than one hundred rupees, to or in immoveable property ;

- (b) instruments acknowledging the receipt or payment of any consideration on account of the creation, declaration, assignment, limitation or extinction of any such right, title or interest ;
- (c) leases of immoveable property for any term not exceeding one year, and leases exempted under section 17 ; ,
- (d) instruments (other than wills) which purport or operate to create, declare, assign, limit or extinguish any right, title or interest to or in moveable property ;
- (e) wills ; and
- (f) all other documents not required by section 17 to be registered

19. If any document duly presented for registration be in a language which the registering officer does not understand, and which is not commonly used in the district, he shall refuse to register the document, unless it be accompanied by a true translation into a language commonly used in the district and also by a true copy.

20. (1) The registering officer may in his discretion refuse to accept for registration any document in which any interlineation, blank, erasure or alteration appears, unless the persons executing the document attest with their signatures or initials such interlineation, blank, erasure or alteration.

(2) If the registering officer registers any such document he shall, at the time of registering the same, make a note in the register of such interlineation, blank, erasure or alteration.

21. (1) No non-testamentary document relating to immovable property shall be accepted for registration unless it contains a description of such property sufficient to identify the same.

(2) Houses in towns shall be described as situate on the north or other side of the street or road (which should be specified) to which they front, and by their existing and former occupancies, and by their numbers if the houses in such street or road are numbered.

(3) Other houses and lands shall be described by their name, if any, and as being in the territorial division in which they are situate, and by their superficial contents, the roads and other properties on which they abut, and their existing occupancies, and also, whenever it is practicable, by reference to a Government map or survey.

(4) No non-testamentary document containing a map plan or of any property comprised therein shall be accepted for registration unless it is accompanied by a true copy of the map or plan, or in case such property is situate in several districts, by such number of true copies of the map or plan as are equal to the number of such districts.

22. (1) Where it is, in the opinion of the Local Government, practicable to describe houses, not being houses in towns, and lands by reference to a Government map or survey, the Local Government may, by rule made under this Act, require that such houses and lands as aforesaid shall, for the purposes of section 21, be so described.

(2) Save as otherwise provided by any rule made under sub-section (1), failure to comply with the provisions of section 21, sub-section (2), or sub-section (3), shall not disentitle a document to be registered if the description of the property to which it relates is sufficient to identify that property.

PART IV.

OF THE TIME OF PRESENTATION.

23. Subject to the provisions contained in sections 24, 25 and 26, no document other than a will shall be accepted for registration unless presented for that purpose to the proper officer within four months from the date of its execution :

Time for presenting documents

Provided that a copy of a decree or order may be presented within four months from the day on which the decree or order was made, or, where it is appealable, within four months from the day on which it becomes final.

23-A. Notwithstanding anything to the contrary contained in this Act, if in any case Re registration of certain documents a document has been accepted for registration or Sub-Registrar from a person who has not presented or admit execution of the same, and has been registered, any person claiming under such document may, within four months from his first becoming aware that the registration of such document is invalid, present such document or cause the same to be presented, in accordance with the provisions of Part VI for re-registration in the office of the Registrar of the district in which the document was originally registered; and upon the Registrar being satisfied that the document was so accepted for registration from a person not duly empowered to present the same, he shall proceed to the re-registration of the document as if it had not been previously registered, and as if such presentation for re-registration was a presentation for registration made within the time allowed therefor under Part IV; and all the provisions of this Act, as to registration of documents, shall apply to such re-registration, and such document, if duly re-registered in accordance with the provisions of this section, shall be deemed to have been duly registered for all purposes from the date of its original registration:

Provided that within three months from the twelfth day of September 1917, any person claiming under a document to which this section applies may present the same or cause the same to be presented for re-registration in accordance with this section, whatever may have been the time when he first became aware that the registration of the document was invalid.

24. Where there are several persons executing a document at different times, such Documents executed by several persons at different times. document may be presented for registration and re-registration within four months from the date of each execution.

25. (1) If, owing to urgent necessity or unavoidable accident, any document executed, or copy of a decree or order made, in British India is not presented for registration till after the expiration of the time hereinbefore prescribed in that behalf, the Registrar, in cases where the delay in presentation does not exceed four months, may direct that, on payment of a fine not exceeding ten times the amount of the proper registration fee, such document shall be accepted for registration.

(2) Any application for such direction may be lodged with a Sub-Registrar, who shall forthwith forward it to the Registrar to whom he is subordinate.

26. When a document purporting to have been executed by all or any of the parties out of British India is not presented for registration till after the expiration of the time hereinbefore prescribed in that behalf, the registering officer, if satisfied—

- (a) that the instrument was so executed, and
- (b) that it has been presented for registration within four months after its arrival in British India,

may, on payment of the proper registration fee, accept such document for registration.

27. A will may at any time be presented for registration or deposited in manner hereinafter provided.

PART V.

OF THE PLACE OF REGISTRATION.

28. Save as in this Part otherwise provided, every document mentioned in section 17, sub-section (1), clauses (a), (b), (c) and (d), and section 18, clauses (a), (b) and (c), shall be presented for registration in the office of a Sub-Registrar within whose sub-district the whole or some portion of the property to which such document relates is situate.

29 (1) Every document other than a document referred to in section 26, and a copy of a decree or order, may be presented

for registration either in the office of the Sub-Registrar in whose sub-district the document was executed, or in the office of any other Sub-Registrar under the Local Government at which all the persons executing and claiming under the document desire the same to be registered.

(2) A copy of a decree or order may be presented for registration in the office of the Sub-Registrar in whose sub-district the original decree or order was made, or, where the decree or order does not affect immoveable property, in the office of any other Sub-Registrar under the Local Government at which all the persons claiming under the decree or order desire the copy to be registered.

30. (1) Any Registrar may in his discretion receive and register any document which might be registered by any Sub-Registrar subordinate to him.

(2) The Registrar of a district including a Presidency town and the Registrar of the Lahore District may, in any part of British India or the property to which the document relates.

31. In ordinary cases the registration or deposit of documents under this Act shall be made only at the office of the officer authorized to accept the same for registration or deposit:

Provided that such officer may on special cause being shown attend at the residence of any person desiring to present a document for registration or to deposit a will and accept for registration or deposit such document or will.

PART VI.

OF PRESENTING DOCUMENTS FOR REGISTRATION.

32. Except in the cases mentioned in section 31 and section 89, every document to be registered under this Act, whether such registration be compulsory or

Persons to present documents for registration.

optional, shall be presented at the proper registration office—

- (a) by some person executing or claiming under the same, or, in the case of a copy of a decree or order, claiming under the decree or order, or
- (b) by the representative or assign of such person, or
- (c) by the agent of such person, representative or assign, duly authorized by power-of attorney executed and authenticated in manner hereinafter mentioned.

33 (1) For the purposes of section 32, the following powers-of-attorney shall alone be recognized, namely:—

Power-of-attorney recognizable for purposes of section 32.

- (a) if the principal at the time of executing the power-of-attorney resides in any part of British India in which this Act is for the time being in force, a power-of-attorney executed before and authenticated by the Registrar or Sub-Registrar within whose district or sub-district the principal resides;
- (b) if the principal at the time aforesaid resides in any other part of British India, a power-of-attorney executed before and authenticated by any Magistrate;
- (c) if the principal at the time aforesaid does not reside in British India, a power-of-attorney executed before and authenticated by a Notary Public, or any Court, Judge, Magistrate, British Consul or Vice-Consul or representative of His Majesty or of the Government of India:

Provided that the following persons shall not be required to attend at any registration office or Court for the purpose of executing any such power-of-attorney as is mentioned in clauses (a) and (b) of this section, namely:—

- (i) persons who by reason of bodily infirmity are unable without risk or serious inconvenience so to attend;

(ii) persons who are in jail under civil or criminal process, and

(iii) persons exempt by law from personal appearance in Court

(2) In the case of every such person the Registrar or Sub-Registrar or Magistrate, as the case may be, is satisfied that the power of attorney has been voluntarily executed by the person purporting to be the principal, may attest the same without requiring his personal attendance at the office or Court aforesaid

(3) To obtain evidence as to the voluntary nature of the execution, the Registrar or Sub Registrar or Magistrate may either himself go to the house of the person purporting to be the principal, or to the jail in which he is confined, and examine him, or issue a commission for his examination

(4) Any power of-attorney mentioned in this section may be proved by the production of it without further proof when it purports on the face of it to have been executed before and authenticated by the person or Court hereinbefore mentioned in that behalf

34 (1) Subject to the provisions contained in this Part and in sections 41, 43, 45, 69, 75, 77, 88 and 89, no document shall be registered under this Act, unless the persons executing such document, or their representatives, assigns or agents authorized as aforesaid, appear before the registering officer within the time allowed for presentation under sections 23, 24, 25 and 26

Inquiry before registration by registering officer

Provided that, if owing to urgent necessity or unavoidable accident all such persons do not so appear, the registrar, in cases where the delay in appearing does not exceed four months, may direct that on payment of a fine not exceeding, ten times the amount of the proper registration fee, in addition to the fine if any, payable under section 25, the document may be registered

(2) Appearances under sub section (1) may be simultaneous or at different times

(3) The registering officer shall thereupon—

- (a) enquire whether or not such document was executed by the persons by whom it purports to have been executed;
- (b) satisfy himself as to the identity of the persons appearing before him and alleging that they have executed the document; and,
- (c) in the case of any person appearing as a representative, assign or agent, satisfy himself of the right of such person so to appear.

(4) Any application for a direction under the proviso to sub-section (1) may be lodged with a Sub-Registrar, who shall forthwith forward it to the Registrar to whom he is subordinate.

(5) Nothing in this section applies to copies of decrees or orders.

35 (1) (a) If all the persons executing the document appear personally before the registering officer and are personally known to him, or if he be otherwise satisfied that they are the persons they represent themselves to be, and if they all admit the execution of the document, or

(b) if in the case of any person appearing by a representative, assign or agent, such representative, assign or agent admits the execution, or

if the assign or agent is dead, or if the assign or agent has died before the

the registering officer shall register the document as directed in sections 58 to 61, inclusive.

(2) The registering officer may, in order to satisfy himself that the persons appearing before him are the persons they represent themselves to be, or for any other purpose contemplated by this Act, examine any one present in his office.

(3) (a) If any person by whom the document purports to be executed denies its execution, or

(b) if any such person appears to the registering officer to be a minor, an idiot or a lunatic, or

(c) if any person by whom the document purports to be executed is dead, and his representative or assign denies its execution,

the registering officer shall refuse to register the document as to the person so denying, appearing or dead:

Provided that, where such officer is a Registrar, he shall follow the procedure prescribed in Part XII.

PART VII.

OF ENFORCING THE APPEARANCE OF EXECUTANTS AND WITNESSES.

36. If any person presenting any document for registration, or claiming under any document which is capable of being so presented, desires the appearance of any person whose presence or testimony is necessary for the registration of such document, the registering officer may, in his discretion, call upon such officer or court as the Local Government directs* in this behalf to issue a summons requiring him to appear at the registration office either in person or by duly authorized agent, as in the summons may be mentioned, and at a time named therein.

37. The officer or court, upon receipt of the person's fee payable in such cases, shall issue the summons accordingly, and cause it to be served upon the person whose appearance is so required.

38. (1) (a) A person who by reason of bodily infirmity is unable without risk or serious inconvenience to appear at the registration office, or

(b) a person in jail under civil or criminal process, or

(c) persons exempt by law from personal appearance in court, and who would but for the provision

**vide* Paragraph 139.

next hereinafter contained be required to appear in person at the registration office,

shall not be required so to appear.

(2) In the case of every such person the registering officer shall either himself go to the house of such person, or to the jail in which he is confined, and examine him or issue a commission for his examination.

* 39. The law in force for the time being as to Law as to summonses, commissions and witness summonses, commissions and compelling the attendance of witnesses, and for their remuneration in suits before civil courts, shall, save as aforesaid and *mutatis mutandis*, apply to any summons or commission issued and any person summoned to appear under the provisions of this Act.

PART VIII.

OF PRESENTING WILLS AND AUTHORITIES TO ADOPT.

40. (1) The testator, or after his death any person Persons entitled to present wills and authorities to adopt claiming as executor or otherwise under a will, may present it to any Registrar or Sub-Registrar for registration.

(2) The donor, or after his death the donee, of any authority to adopt, or the adoptive son, may present it to any Registrar or Sub-Registrar for registration.

41. (1) A will or an authority to adopt, presented Registration of wills and authorities to adopt. for registration by the testator or donor, may be registered in the same manner as any other document.

(2) A will or authority to adopt presented for registration by any other person entitled to present it shall be registered if the registering officer is satisfied—

(a) that the will or authority was executed by the testator or donor, as the case may be;

(b) that the testator or donor is dead; and

(c) that the person presenting the will or authority is, under section 40, entitled to present the same.

PART IX.

OF THE DEPOSIT OF WILLS.

42. Any testator may, either personally or by
Deposit of wills duly authorized agent, deposit with
 any registrar his will in a sealed cover
 superscribed with the name of the testator and that
 of his agent (if any) and with a statement of the nature
 of the document.

43. (1) On receiving such cover, the Registrar, if
Procedure on deposit of wills satisfied that the person presenting
 the same for deposit is the testator or
 his agent, shall transcribe in his Register-book No. 5 the
 superscription aforesaid, and shall note in the same book
 and on the said cover the year, month, day and hour of
 such presentation and receipt, and the names of any
 persons who may testify to the identity of the testator or
 his agent, and any legible inscription which may be on
 the seal of the cover.

(2) The Registrar shall then place and retain the
 sealed cover in his fire-proof box.

44. If the testator who has deposited such cover
Withdrawal of sealed cover deposited under section 42 wishes to withdraw it, he may apply,
 either personally or by duly authorized
 deposit, and such :
 is actually the
 cover accordingly.

45 (1) If, on the death of a testator who has
Proceedings on death of depositor deposited a sealed cover under section
 42, application be made to the
 Registrar who holds it in deposit to open the same, and
 if the Registrar is satisfied that the testator is dead, he
 shall, in the applicant's presence, open the cover, and, at
 the applicant's expense, cause the contents thereof to be
 copied into his Book No. 3.

(2) When such copy has been made, the Registrar
 shall re-deposit the original will.

46 (1) Nothing hereinbefore contained shall affect the provisions of section 259 of the Indian Succession Act, 1865, or of section 81 of the Probate and Administration Act, 1881 or the power of any court by order to compel the production of any will

(-) When any such order is made, the Registrar shall, unless the will has been already copied under section 45, open the cover and cause the will to be copied into his Book No 3 and make a note on such copy that the original has been removed into court in pursuance of the order aforesaid

PART X

OF THE EFFECTS OF REGISTRATION AND NON-REGISTRATION

47 A registered document shall operate from the time from which it would have commenced to operate if no registration thereof had been required or made, and not from the time of its registration

48 All non testamentary documents duly registered under this Act, and relating to any property, whether moveable or immoveable, shall take effect against any oral agreement or declaration relating to such property, unless where the agreement or declaration has been accompanied or followed by delivery of possession

49 No document required by section 17 to be registered shall—

- (a) affect any immoveable property comprised therein, or
- (b) confer any power to adopt, or
- (c) be received as evidence of any transaction affecting such property or conferring such power,

unless it has been registered

50 (1) Every document of the kinds mentioned in clauses (a), (b), (c) and (d) of section 17, sub section (1), and clauses (a) and (b) of section 18 shall, if duly registered, take effect as regards the property comprised therein against every unregistered document relating to the same property, and not being a decree or order, whether such unregistered document be of the same nature as the registered document or not

Certain registered documents relating to land to take effect against registered documents

(2) Nothing in sub-section (1) applies to leases exempted under the proviso to sub section (1) of section 17 or to any document mentioned in sub section (2) of the same section or to any registered document which had not priority under the law in force at the commencement of this Act

XV of 1866

Explanation—In cases where Act No XVI of 1864 or the Indian Registration Act, 1866 was in force in the place and at the time in and at which such unregistered document was executed, "unregistered" means not registered according to such Act, and, where the document is executed after the first day of July 1871, not registered under the Indian Registration Act, 1871, or the Indian Registration Act, 1877, or this Act

XIII of

1871

III of 1877

PART XI.

OF THE DUTIES AND POWERS OF REGISTERING OFFICERS

(A) *As to the register books and indexes*

51 (1) The following books shall be kept in the several offices hereinafter named namely —

Register books to be kept in the several offices

A—In all registration offices—

Book 1, "Register of non testamentary documents relating to immoveable property,"

Book 2, "Record of reasons for refusal to register,"

Book 3, "Register of wills and authorities to adopt," and

Book 4, "Miscellaneous register,"

B—In the offices of Registrars—

Book 5, " Register of deposits of wills "

(2) In Book 1 shall be entered or filed all documents or memoranda registered under sections 17, 18 and 89 which relate to immoveable property, and are not wills.

(3) In Book 4 shall be entered all documents registered under clauses (d) and (f) of section 18 which do not relate to immoveable property.

(4) Nothing in this section shall be deemed to require more than one set of books where the office of the Registrar has been amalgamated with the office of a sub-registrar.

52. (1) (a) The day, hour and place of presentation, and the signature of every person presenting a document for registration, shall be endorsed on every such document at the time of presenting it;

Duties of registering officers when document presented

(b) a receipt for such document shall be given by the registering officer to the person presenting the same, and,

(c) subject to the unnecessary delay, be copied in the book appropriated therefor according to the order of its admission

(2) All such books shall be authenticated at such intervals and in such manner as is from time to time prescribed by the inspector-general

53 All entries in each book shall be numbered in a consecutive series, which shall commence and terminate with the year, a fresh series being commenced at the beginning of each year.

Entries to be numbered consecutively

54. In every office in which any of the books hereinbefore mentioned are kept, there shall be prepared current indexes of the contents of such books; and every entry in such indexes shall be made, so far as

Current indexes and entries therein

practicable, immediately after the registering officer has copied, or filed a memorandum of, the document to which it relates.

55. (1) Four such indexes shall be made in all registration offices, and shall be named, respectively, Index No. I, Index No. II, Index No. III and Index No IV.

Indexes to be made by registering officers and their contents.

(2) Index No. I shall contain the names and additions of all persons executing and of all persons claiming under every document entered or memorandum filed in Book No. 1.

(3) Index No. II shall contain such particulars mentioned in section 21 relating to every such document and memorandum as the Inspector-General from time to time directs in that behalf.

(4) Index No. III shall contain the names and additions of all persons executing every will and authority entered in Book No. 3, and of the executors and persons respectively appointed thereunder, and after the death of the testator or the donor (but not before) the names and additions of all persons claiming under the same.

(5) Index No. IV shall contain the names and additions of all persons executing and of all persons claiming under every document entered in Book No. 4.

(6) Each Index shall contain such other particulars, and shall be prepared in such form, as the Inspector-General from time to time directs.

56. (1) Every Sub-Registrar shall send to the registrar to whom he is subordinate, at such intervals as the Inspector-General from time to time directs, a copy of all entries made by such Sub-Registrar, during the last of such intervals, in Indexes Nos. I, II and III.

Copy of entries in Indexes Nos. I, II and III to be sent by sub-registrar to registrar and filed.

(2) Every Registrar receiving such copy shall file it in his office.

57. (1) Subject to the previous payment of the fees payable in that behalf, the Books Nos. 1 and 2 and the indexes relating to Book No. 1 shall be at all times open to inspection by any person applying to inspect the same; and, subject to the provisions of section 62, copies of entries in such books shall be given to all persons applying for such copies.

(2) Subject to the same provisions, copies of entries in Book No. 3 and in the index relating thereto shall be given to the persons executing the documents to which such entries relate, or to their agents, and after the death of the executants (but not before) to any person applying for such copies.

(3) Subject to the same provisions, copies of entries in Book No. 4 and in the index relating thereto shall be given to any person executing or claiming under the documents to which such entries respectively refer, or to his agent or representative.

(4) The requisite search under this section for entries in Books Nos. 3 and 4 shall be made only by the registering officer.

(5) All copies given under this section shall be signed and sealed by the registering officer, and shall be admissible for the purpose of proving the contents of the original documents.

(B) As to the Procedure on admitting to Registration.

58. (1) On every document admitted to registration, other than a copy of a decree or order, or a copy sent to a registering officer under section 89, there shall be endorsed from time to time the following particulars, namely:—

- (a) the signature and addition of every person admitting the execution of the document, and, if such execution has been admitted by the representative, assign or agent of any person, the signature and addition of such representative, assign or agent;

- (b) the signature and addition of every person examined in reference to such document under any of the provisions of this Act; and
- (c) any payment of money or delivery of goods made in the presence of the registering officer in reference to the execution of the document, and any admission of receipt of consideration, in whole or in part, made in his presence in reference to such execution.

(2) If any person admitting the execution of a document refuses to endorse the same, the registering officer shall nevertheless register it, but shall at the same time endorse a note of such refusal.

59. The registering officer shall affix the date and his signature to all endorsements made under sections 52 and 58, relating to the same document and made in his presence on the same day.

Endorsements to be dated and signed by registering officer

60. (1) After such of the provisions of sections 34, 35, 58 and 59 as apply to any document presented for registration, have been complied with, the registering officer shall endorse thereon a certificate containing the word "registered," together with the number and page of the book in which the document has been copied.

Certificate of registration

(2) Such certificate shall be signed, sealed and dated by the registering officer, and shall then be admissible for the purpose of proving that the document has been duly registered in manner provided by this Act, and that the facts mentioned in the endorsements referred to in section 59 have occurred as therein mentioned.

61. (1) The endorsements and certificate referred to and mentioned in sections 59 and 60 shall thereupon be copied into the margin of the register-book, and the copy of the map or plan (if any) mentioned in section 21 shall be filed in Book No. 1.

Endorsements and certificate to be copied and document returned.

(2) The registration of the document shall thereupon be deemed complete, and the document shall then be returned to the person who presented the same for

registration, or to such other person (if any) as he has nominated in writing in that behalf on the receipt mentioned in section 52.

62. (1) When a document is presented for registration under section 19, the translation shall be transcribed in the register of documents of the nature of the original, and, together with the copy referred to in section 19, shall be filed in the registration office

Procedure on presenting document in language unknown to registering officer.

(2) The endorsements and certificate respectively mentioned in sections 59 and 60 shall be made on the original, and, for the purpose of making the copies and memoranda required by sections 57, 61, 65 and 66, the translation shall be treated as if it were the original.

63. (1) Every registering officer may at his discretion administer an oath to any person examined by him under the provisions of this Act.

Power to administer oaths and record of substance of statements

(2) Every such officer may also at his discretion record a note of the substance of the statement made by each such person, and such statement shall be read over, or (if made in a language with which such person is not acquainted) interpreted to him in a language with which he is acquainted, and, if he admits the correctness of such note, it shall be signed by the registering officer.

(3) Every such note so signed shall be admissible for the purpose of proving that the statements therein recorded were made by the persons and under the circumstances therein stated

(C) Special Duties of Sub-Registrar.

64 Every sub-registrar on registering a non-testamentary document relating to immovable property not wholly situate in his own sub-district shall make a memorandum thereof and of the endorsement and certificate (if any) thereon, and send the same to every other Sub-Registrar subordinate to the same Registrar as himself in whose sub-district any part of such property is situate, and such Sub-Registrar shall file the memorandum in his Book No. 1.

Procedure when document relates to land in several sub-districts

65. (1) Every Sub-Registrar on registering a non-testamentary document relating to immoveable property situate in more districts than one shall also forward a copy thereof and of the endorsement and certificate (if any) thereon, together with a copy of the map or plan (if any) mentioned in section 21, to the registrar of every district in which any part of such property is situate other than the district in which his own sub-district is situate.

Procedure where document relates to land in several districts

(2) The Registrar on receiving the same shall file in his Book No. 1 the copy of the document and the copy of the map or plan (if any), and shall forward a memorandum of the document to each of the Sub-Registrars subordinate to him within whose sub-district any part of such property is situate: and every Sub-Registrar receiving such memorandum shall file it in his Book No. 1.

(D) Special Duties of Registrar.

66. (1) On registering any non-testamentary document relating to immoveable property, the Registrar shall forward a memorandum of such document to each Sub-Registrar subordinate to himself in whose sub-district any part of the property is situate.

Procedure after registration of documents relating to land

(2) The Registrar shall also forward a copy of such document, together with a copy of the map or plan (if any) mentioned in section 21, to every other Registrar in whose district any part of such property is situate.

(3) Such Registrar on receiving any such copy shall file it in his Book No. 1, and shall also send a memorandum of the copy to each of the Sub-Registrars subordinate to him within whose sub-district any part of the property is situate

(4) Every Sub-Registrar receiving any memorandum under this section shall file it in his Book No. 1.

67. On any document being registered under section 30, sub-section (2), a copy of such document and of the endorsements and certificate thereon shall be forwarded to every Registrar within whose district any part of the property to which the instrument relates is situate, and the Registrar receiving such copy shall follow the procedure prescribed for him in section 66, sub-section (1).

Procedure after registration under section 30, sub-section (2)

(E) Of the Controlling Powers of Registrars and Inspector-General.

68. (1) Every Sub-Registrar shall perform the duties of his office under the superintendence and control of the Registrar in whose district the office of such Sub-Registrar is situate.

Power of Registrar to superintend and control Sub Registrars

(2) Every Registrar shall have authority to issue (whether on complaint or otherwise) any order consistent with this Act which he considers necessary in respect of any act or omission of any Sub-Registrar subordinate to him or in respect of the rectification of any error regarding the book or the office in which any document has been registered.

69. (1) The Inspector-General shall exercise a general superintendence over all the registration offices in the territories under the Local Government, and shall have power from time to time to make rules consistent with this Act—

Power of Inspector-General to superintend registration offices and make rule

- (a) providing for the safe custody of books, papers and documents, and also for the destruction of such books, papers and documents as need no longer be kept;
- (b) declaring what languages shall be deemed to be commonly used in each district;
- (c) declaring what territorial divisions shall be recognized under section 21;
- (d) regulating the amount of fines imposed under sections 25 and 34, respectively;

- (e) regulating the exercise of the discretion reposed in the registering officer by section 63 ;
- (f) regulating the form in which registering officers are to make memoranda of documents ;
- (g) regulating the authentication by Registrars and Sub-Registrars of the books kept in their respective offices under section 51 ;
- (h) declaring the particulars to be contained in Indexes Nos. I, II, III and IV, respectively ;
- (i) declaring the holidays that shall be observed in the registration offices ; and
- (j) generally, regulating the proceedings of the Registrars and Sub-Registrars.

(2) The rules so made shall be submitted to the Local Government for approval, and, after they have been approved, they shall be published in the official Gazette, and on publication shall have effect as if enacted in this Act.

70. The Inspector-General may also, in the exercise of his discretion, remit wholly or in part the difference between any fine levied under section 25 or section 34, and the amount of the proper registration fee.

Power of Inspector-General to remit fines

exercise of his discretion, remit wholly or in part the difference between any fine levied under section 25 or section 34, and the amount of the proper registration fee.

PART XII.

OF REFUSAL TO REGISTER.

71. (1) Every Sub-Registrar refusing to Register a document, except on the ground that the property to which it relates is not situate within his sub-district, shall make an order of refusal and record his reasons for such order in his Book No. 2, and endorse the words "registration refused" on the document ; and, on application made by any person executing or claiming under the document, shall, without payment and unnecessary delay, give him a copy of the reasons so recorded.

Reasons for refusal to register to be recorded.

(2) No registering officer shall accept for registration a document so endorsed unless and until, under the provisions hereinafter contained, the document is directed to be registered

72 (1) Except where the refusal is made on the ground of denial of execution, an appeal shall lie against an order of a Sub Registrar refusing to admit a document to registration (whether the registration of such document is compulsory or optional) to the registrar to whom such Sub-Registrar is subordinate, if presented to such Registrar within thirty days from the date of the order, and the Registrar may reverse or alter such order

(2) If the order of the Registrar directs the document to be registered and the document is duly presented for registration within thirty days after the making of such order, the Sub Registrar shall obey the same, and thereupon shall so far as may be practicable follow the procedure prescribed in sections 58 59 and 60, and such registration shall take effect as if the document had been registered when it was first duly presented for registration

73 (1) When a Sub Registrar has refused to register a document on the ground that any person by whom it purports to be executed, or his representative or assign denies its execution, any person claiming under such document, or his representative or agent authorized as aforesaid, may, within thirty days after the making of the order of refusal, apply to the Registrar to whom such Sub Registrar is subordinate in order to establish his right to have the document registered

(2) Such application shall be in writing and shall be accompanied by a copy of the reasons recorded under section 71, and the statements in the application shall be verified by the applicant in manner required by law for the verification of plaints

74 In such case, and also where such denial as
 Procedure of Registrar
 on such application
 aforesaid is made before a Registrar
 in respect of a document presented
 for registration to him, the Registrar shall, as soon as
 conveniently may be, enquire—

- (a) whether the document has been executed ,
- (b) whether the requirements of the law for the
 time being in force have been complied with
 on the part of the applicant or person pre-
 senting the document for registration, as the
 case may be, so as to entitle the document to
 registration

75. (1) If the Registrar finds that the document
 Order by Registrar to
 register and procedure
 thereon
 has been executed and that the said
 requirements have been complied
 with, he shall order the document
 to be registered

(2) If the document is duly presented for registra-
 tion within thirty days after the making of such order,
 the registering officer shall obey the same and thereupon
 shall, so far as may be practicable, follow the procedure
 prescribed in sections 58, 59 and 60

(3) Such registration shall take effect as if the
 document had been registered when it was first duly
 presented for registration

(4) The Registrar may, for the purpose of any en-
 quiry under section 74, summon and enforce the
attendance of witnesses, and compel them to give
 evidence as if he were a civil court, and he may also
 direct by whom the whole or any part of the costs of
 any such enquiry shall be paid, and such costs shall be
 recoverable as if they had been awarded in a suit under
 the Code of Civil Procedure, 1903

V of 1908

Order of refusal by Registrar 76 (1) Every Registrar refusing—

- (a) to register a document except on the ground
 that the property to which it relates is not
 situate within his district or that the docu-
 ment ought to be registered in the office of a
 Sub-Registrar, or

(b) to direct the registration of a document under section 72 or section 75,

shall make an order of refusal and record the reasons for such order in his Book No 2, and, on application made by any person executing or claiming under the document, shall, without unnecessary delay, give him a copy of the reasons so recorded

(2) No appeal lies from any order by a Registrar under this section or section 72

77 (1) Where the Registrar refuses to order the document to be registered, under section 72 or section 76, any person claiming under such document, or his representative, assign or agent, may, within thirty days after the making of the order of refusal institute in the civil court within the local limits of whose original jurisdiction is situate the office in which the document is sought to be registered, a suit for a decree directing the document to be registered in such office if it be duly presented for registration within thirty days after the passing of such decree

2) The provisions contained in sub sections (2) and (3) of section 75 shall, *mutatis mutandis*, apply to all documents presented for registration in accordance with any such decree and, notwithstanding anything contained in this Act, the document shall be receivable in evidence in such suit

PART XIII.

OF THE FEES FOR REGISTRATION, SEARCHES AND COPIES

78 Subject to the approval of the Governor-General in Council, the Local Government shall prepare a table of fees payable—

- (a) for the registration of document
- (b) for searching the registers,

- (c) for making or granting copies of reasons entries or documents, before, on or after registration ;

and of extra or additional fees payable—

- (d) for every registration under section 30 ;
 (e) for the issue of commissions ;
 (f) for filing translations ;
 (g) for attending at private residences ;
 (h) for the safe custody and return of documents and
 (i) for such other matters as appear to the Local Government necessary to effect the purposes of this Act

79. A table of the fees so payable shall be published in the official Gazette, and a copy thereof in English and the vernacular language of the district shall be exposed to public view in every registration office.

80. All fees for the registration of documents under this Act shall be payable on the presentation of such documents.

PART XIV.

OF PENALTIES.

81. Every registering officer appointed under this Act and every person employed in his office for the purposes of this Act, who, being charged with the endorsing, copying, translating or registering of any document presented or deposited under its provisions, endorses, copies, translates or registers such document in a manner which he knows or believes to be incorrect, intending thereby to cause, or knowing it to be likely that he may thereby cause, injury, as defined in the Indian Penal Code, to any person, shall be punishable with imprisonment for a term which may extend to seven years, or with fine, or with both.

82 Whoever--

Penalty for making false statements deliv-
ing false copies or trans-
lations false personation
and abetment.

- (a) intentionally makes any false statement, whether on oath or not, and whether it has been recorded or not, before any officer acting in execution of this Act, in any proceeding or inquiry under this Act, or
- (b) intentionally delivers to a registering officer, in any proceeding under section 19 or section 21 a false copy or translation of a document, or a false copy of a map or plan, or
- (c) falsely personates another and in such assumed character presents any document or makes any admission or statement or causes any summons or commission to be issued or does any other act in any proceeding or enquiry under this Act, or
- (d) abets anything made punishable by this Act,

shall be punishable with imprisonment for a term which may extend to seven years or with fine or with both

83 (1) A prosecution for any offence under this Act coming to the knowledge of a

Registering officer
may commence prosecu-
tions

registering officer in his official capacity may be commenced by or with the permission of the Inspector General the branch Inspector General of Sindh the Registrar or the Sub Registrar, in whose territories district or sub district as the case may be the offence has been committed

(2) Offences punishable under this Act shall be triable by any court or officer exercising powers not less than those of a Magistrate of the second class.

84 (1) Every registering officer appointed under this Act shall be deemed to be a

Registering officers
be deemed public servants

public servant within the meaning of the Indian Penal Code

(2) Every person shall be legally bound to furnish^{XLV of 1870} information to such registering officer when required by him to do so.

(3) In section 228 of the Indian Penal Code, the words "judicial proceeding" shall be deemed to include any proceeding under this Act.

PART XV.

MISCELLANEOUS.

85. Documents (other than wills) remaining un-
Destruction of un-
claimed documents claimed in any registration office for a period exceeding two years may be destroyed.

86. No registering officer shall be liable to any
Registering officer
not liable for thing done
done or refused in
his official capacity. suit, claim or demand by reason of any thing in good faith done or refused in his official capacity.

87. Nothing done in good faith pursuant to this
Nothing so done
invalidated by defect in
appointment or proce-
dure Act or any Act hereby repealed, by any registering officer, shall be deemed invalid merely by reason of any defect in his appointment or procedure.

88. (1) Notwithstanding anything herein con-
Registration of docu-
ments executed by Gov-
ernment officers or cer-
tain public function-
aries tained, it shall not be necessary for any officer of Government, or for the Administrator General of Bengal, Madras or Bombay, or for any official trustee for the
 Sheriff, Receiver or to appear
 in person or by agent in any
 proceeding connected with the registration of any
 instrument executed by him in his official capacity, or
 to sign as provided in section 58.

(.) Where any instrument is so executed, the registering officer to whom such instrument is presented for registration may, if he thinks fit, refer to any Secretary to Government or to such officer of Government, Administrator-General, official trustee, official assignee, Sheriff, Receiver or Registrar, as the case may be, for information respecting the same, and on being satisfied of the execution thereof, shall register the instrument

89. (1) Every officer granting a loan under the

Copies of certain
orders, certificates and
instruments to be sent
to registering officers and
filed

Land Improvement Loans Act, 1883, shall send a copy of his order to the registering officer within the local limits of whose jurisdiction the whole or any part of the land to be improved or of the land to be granted as collateral security, is situate and such registering officer shall file the copy in his Book No. 1

XIX of 1883

(2) Every court granting a certificate of sale of immoveable property under the Code of Civil Procedure, 1908 shall send a copy of such certificate to the registering officer within the local limits of whose jurisdiction the whole or any part of the immoveable property comprised in such certificate is situate, and such officer shall file the copy in his Book No. 1

V of 1908

(3) Every officer granting a loan under the Agriculturists Loans Act, 1884, shall send a copy of any instrument whereby immoveable property is mortgaged for the purpose of securing to the repayment of the loan and if any such property is mortgaged for the same purpose in the order granting the loan a copy also of that order to the registering officer within the local limits of whose jurisdiction the whole or any part of the property so mortgaged is situate and such registering officer shall file the copy or copies, as the case may be, in his book No. 1

XII of 1884

(4) Every Revenue Officer granting a certificate of sale to the purchaser of immoveable property sold by public auction shall send a copy of the certificate to the registering officer within the local limits of whose jurisdiction the whole or any part of the property comprised in the certificate is situate, and such officer shall file the copy in his Book No. 1

Exemptions from Act

90 (1) Nothing contained in this Act or in the

Exemption of certain
documents executed by
or in favour of Govern-
ment

Indian Registration Act, 1877, or in the Indian Registration Act 1871, or in any Act thereby repealed, shall be deemed to require, or to have at

III of 1877
VIII of
1871

any time required, the registration of any of the following documents or maps, namely :—

- (a) documents issued, received or attested by any officer engaged in making a settlement or revision of settlement of land-revenue, and which form part of the records of such settlement ; or
- (b) documents and maps issued, received or authenticated by any officer engaged on behalf of Government in making or revising the survey of any land, and which form part of the record of such survey ; or
- (c) documents which, under any law for the time being in force, are filed periodically in any revenue-office by patwaris or other officers charged with the preparation of village records ; or
- (d) sanads, inam title-deeds and other documents purporting to be or to evidence grants or assignments by Government of land or of any interest in land ; or
- (e) notices given under section 74 or section 76 of the Bombay Land Revenue Code, 1879, of relinquishment of occupancy by occupants or of alienated land by holders of such land.

Bom V of
1879.

(2) All such documents and maps shall, for the purposes of sections 48 and 49, be deemed to have been and to be registered in accordance with the provisions of this Act.

91. Subject to such rules and the previous payment of such fees as the Local Government prescribes in this behalf, all documents and maps mentioned in section 90, clauses (a), (b), (c), and (e), and all registers of the document mentioned in clause (d), shall be open to the inspection of any person applying to inspect the same, and, subject as aforesaid, copies of such documents shall be given to all persons applying for such copies.*

*NOTE.—The rules made under this section do not apply in any way to registration offices and have not, therefore, been reproduced in this manual. In the old manual they formed Appendix IV.

92. All rules relating to registration enforced in Lower Burma prior to the commencement of the Indian Registration Act, ^{III of 1877.} 1877, shall be deemed to have had the force of law, and no suit or other proceeding shall be maintained against any officer or other person in respect of anything done under any of the said rules

Burmese registration
rule confirmed

Repeals.

93. (1) The enactments mentioned in the schedule are repealed to the extent specified in the fourth column thereof.

(2) Nothing herein contained shall be deemed to affect any provision of any enactment in force in any part of British India and not hereby expressly repealed

THE SCHEDULE.

REPEAL OF ENACTMENT.

(See section 93.)

Year	No	Short title	Extent of repeal
1877	III	The Indian Registration Act, 1877	The whole
1879	XII	The Registration and Limitation Act Amendment Act, 1879	So much as is unrepealed
1883	XIV	The Land Improvement Loans Act, 1883	So much of section 12 as is unrepealed.
1886	VII	The Indian Registration Act, 1886	The whole
1889	VII	The Civil Procedure Code Amendment Act 1889	So much as is unrepealed.
1891	XII	The Amending Act, 1891	In the second schedule the entries relating to Act III of 1877
1899	XVIII	The Indian Registration (Amendment) Act, 1899	The whole

CHAPTER I. APPOINTMENT, REMUNERATION AND RETIREMENT OF REGISTERING OFFICERS

APPOINTMENT.

1. Under section 6 of Act XVI of 1908 all permanent appointments to the office of Registrar, Sub-Registrar, or Joint Sub-Registrar, are made by the Local Government. In some cases the persons appointed are public officers who perform registration duties by virtue of their office in addition to their other duties; in other cases persons specially selected are nominated to the office.

2 The following are the classes of registering officers employed in the Punjab :—

A.—Registering officers who are required to perform their duties without remuneration—

- (1) The *ex-officio* Registrar of each district, that is, the Deputy Commissioner in administration, for the time to act temporarily under the provisions of paragraph 11.
- (2) Tahsildars holding office either as Sub-Registrars or Joint Sub-Registrars.
- (3) Treasury or sub-treasury officers (whether covenanted, uncovenanted or military) discharging the duties of Sub-Registrars at the head-quarters of a district or sub-division.

B.—Registering officers who are entitled to remuneration for their duties as such, at the rates hereinafter provided—

- (1) Cantonment Magistrates in charge of cantonment sub-districts

- (2) Subject to the reservation contained in para 2A (3) all Assistant and Extra Assistant Commissioners and other civil officers above the rank of Tahsildar, who may be deputed to act as Sub Registrars
- (3) Departmental Sub Registrars
- (4) Honorary Sub Registrars

Explanation—The expressions Departmental and Honorary Sub Registrar mean persons not public officers within the meaning of section 6 of the Act, who have been or may at any time be appointed by gazette notification as such, respectively

2 A Unless otherwise specially ordered in any particular case all appointments of Honorary Sub-Registrars after the 5th December 1916 shall be for a period of 5 years from the date of the order of appointment

3 Departmental Sub Registrars are Government servants within the meaning of the Departmental Sub Government Civil Service Regulations and, subject to the provisions of those regulations, their service as Sub Registrars qualifies for pension, with effect from April 1st 1906, the date on which the rules embodied in these paragraphs came into force

4 (1) In a head quarters sub district the Tahsildar or Naib Tahsildar is ordinarily Joint Sub Registrar and the Sub Registrar may be either a Departmental Sub Registrar, or the Treasury Officer holding charge *ex officio*, or another officer of Government deputed by the Registrar to act for the time being

(2) In a sub district which is not a head quarters sub district the Tahsildar is ordinarily Sub Registrar until a Departmental Sub Registrar is appointed at the head quarters of the tahsil, and upon such appointment occurring, the Tahsildar becomes Joint Sub Registrar

(3) When it is proposed to appoint a second Sub-Registrar in one sub district, it is desirable that the incumbent, who holds, or is to hold, office at the head-

quarters of the sub-district, should be Sub-Registrar and the other incumbent should be Joint Sub-Registrar, the two incumbents working with concurrent jurisdiction throughout the sub-district. This is desirable, because experience has shown that administrative difficulty generally arises from the creation of separate sub-districts within one tahsil.

5. In making proposals for the appointment as registering officers of persons, who are not public servants within the meaning of section 3 of the Act, regard should be had to the foregoing paragraph and also to the following considerations:—

Instructions as to proposals for the appointment of registering officers

- (a) That the main object in making these appointments is to relieve public officers of the burden of registration work, and that this can best be effected by appointing such persons to hold office at the head-quarters of districts or at the head-quarters of tahsils.
- (b) That the multiplication of out-offices (that is to say, offices which are not at the head-quarters of districts or tahsils) is to be deprecated, and that Government do not favour the creation of fresh ones, or even the continuance of existing ones, unless it is clear that their creation or existence is demanded in the public interest.
- (c) That, if in special cases it is desired to confer the appointment of Sub-Registrar in charge of an out-office upon any person, mainly as a mark of distinction, this should be plainly stated, and in such case the recommendation should be to the effect that the nominee should be an Honorary Sub-Registrar.
- (d) That ordinarily only accepted nominees for office at the head-quarters of districts or tahsils will be classified as Departmental Sub-Registrar, while accepted nominees for office at other places will, as a rule, be classified as Honorary Sub-Registrars.

- (e) The greatest possible care should be exercised in making recommendations for the appointment of Sub-Registrars, close attention being paid to party feeling in the locality. In cases in which party feeling runs high, it can seldom be wise to appoint a leading man of either faction
- (f) The person selected should ordinarily be (1) a resident of the neighbourhood; (2) of good family and character and in easy circumstances. Preference should be given to those who have rendered good services to Government. If no such person is available, a candidate of good character and status from another locality may be recommended. The general policy should be to reserve the appointments for members of the hereditary landed gentry possessing rural influence and preferably for those who have done valuable war work either as combatants or recruiters. The work of a Sub-Registrar, outside the larger towns of the province, is not of a complicated nature and men of the class described above are ordinarily able to perform it without difficulty
- (g) Recommendations should be made by Commissioners direct to Government and should be made in a definite official form in the first instance.

NOTE.—The provisions of the two foregoing rules do not apply to those military appointments which have been gazetted as sub-districts (see Appendix V)

6 The public officers and persons mentioned in the list contained in Appendix VI have been appointed departmental, Honorary or Joint Sub Registrars (as the case may be) in the several sub-districts specified therein, and all variations of that list, as well as all new appointments made by the Local Government, will be notified from time to time in the Government gazette.

List of Sub-Registrars
and Joint Sub Regis-
trars

7. At the head-quarters of all districts and of all tahsils, the Sub-Registrar, where there is one in addition to the Tahsildar or other *ex-officio* Sub-Registrar, is usually a Departmental Sub-Registrar, and so also are the incumbents of the following out-offices :—

Faridabad	...	...	Tahsil Ballabgarh.
Mukerian	...	...	„ Dasuya.
Alawalpur	...	..	„ Jullundur
Bunga	...	...	„ Nawashar
Keylang	...	...	„ Kulu.

The incumbents of the remaining out-offices will be classified as Honorary Sub-Registrars. If any man of good family is unwilling to accept the post of Departmental Sub-Registrar, but is willing to be an Honorary Sub Registrar, a proposal to this effect may be made.

8. The policy of Government is that the out-offices should gradually be abolished on the death or resignation of the existing incumbents, and registration work should eventually become concentrated in offices at the head-quarters of the district or of the tahsil. Proposals for the continuance of, or for new appointments to, out-offices should not therefore be supported except for very special reasons.

9. Section 7 of the Act allows the Local Government to amalgamate the office of a Sub-Registrar with that of a Registrar, and to authorise the Sub-Registrar to exercise and perform, in addition to his own powers and duties, all or any of the powers of the Registrar. The Government may exercise and perform such powers and duties, with the exception of those specified in sections 68 and 72 of the Act.

10. Provision is made in sections 11 and 12 of the Act for temporary appointments in cases where the registering officer is absent from his office for a short time only; and here it is necessary to remind registering officers that the "office" contemplated in section 7 is a fixed abode, and

not a moveable establishment ; that except in the cases otherwise specially provided for in the Act, all registrations must be made at such office ; and that consequently when a registering officer proceeds into the interior of his district or sub-district, he cannot take his office with him. In such cases it becomes necessary for the Registrar to provide a substitute, in doing which he will be guided by the following general instructions.

11. Section 11 provides that when a Registrar "is absent from his office on duty in his district, he may appoint any Sub-Registrar or other person in his district to perform, during such absence, all the duties of a Registrar, except those mentioned in sections 68 and 72." In such cases, the person so appointed may, in the discretion of the district officer, be either the Treasury Officer or any other civil officer at the head-quarters of the district.

12. Section 12 provides for temporary vacancies in the office of Sub-Registrar. When a subordinate registering officer proceeds on leave of absence, or is otherwise temporarily away from his office, the Registrar will provide for the performance of his duties during his absence in the following manner :—

- (a) When the absent officer is the district Treasury Officer, the officer who succeeds him in charge of the Treasury should take over his registration duties also, except where the Deputy Commissioner himself takes charge of the Treasury, in which case the registration duties should be made over to the local Tahsildar or to some civil officer at head-quarters. It is incompatible with the provisions of the Act for a Registrar to perform the duties of a Sub-Registrar, except where the two offices have been amalgamated under section 7 ; moreover, such an arrangement might be productive of inconvenience in cases where a party

wished to appeal against an order issued by the Deputy Commissioner in the capacity of a Sub-Registrar.

(b) Save as above provided, where there are two subordinate registering officers at the same place, during the temporary absence of one the other should ordinarily be required to perform the duties of both offices.

(c) Save as above provided, when the absent officer is a Tahsildar, the Naib-Tahsildar, if available, should be placed in charge of the registration duties.

(d) In all other cases, the Registrar should make such arrangements as appear to him to be most suitable under the circumstances for maintaining the continuity of the business of the office.

13. It must be borne in mind that although the Act permits the appointment of two or more Joint Sub-Registrars in the same sub-district it nowhere allows of one Sub Registrar being in charge of two separate sub-districts at the same time. This can only be affected by a gazette notification under section 5, directing the temporary amalgamation of the two sub-districts concerned.

One Sub-Registrar can not be appointed to two sub-districts at the same time

14. Section 13 requires that temporary appointments of the nature treated of in paragraphs 11 and 12 shall be reported by the Inspector-General to the Local Government; and such report may be either special or general. Changes of incumbency in *ex-officio* appointments made in accordance with ordinary rule may be deemed to have been made under the orders of Government, and no special report thereof is necessary. But all reports of changes of incumbency, whether special or general, must be communicated to the Inspector-General's office, for report to Government under section 13, in quarterly schedules in the form given in Appendix III, which should be submitted with the other

Reports of changes of incumbency.

monthly returns. At the foot of the return will be entered a certificate of the dates on which the iron safe, for deposit of sealed wills, etc., was opened and its contents examined during the quarter, as required by paragraph 51. If no such examination has been made the certificate should set this forth and state the reason.

REMUNERATION.

15. Cantonment Magistrates and the civil officers mentioned in class (2) of paragraph 2 B are entitled to receive, by way of remuneration, a proportion of the fees collected by them according to the following scale :—

Remuneration of Cantonment Magistrates and civil officers mentioned in paragraph 2 B (2).

When the fees collected by any one officer in any one month do not exceed Rs. 100. 50 per cent. of the fees so collected.

When they exceed Rs. 100 50 per cent. of the first Rs. 100 collected and 25 per cent. of the amount in excess.

16. Honorary Sub-Registrars are entitled to receive by way of remuneration, a proportion of fees collected by them according to the following scale :—

Remuneration of Honorary Sub-Registrar.

When the fees collected by any one officer in any one month do not exceed Rs. 50. 50 per cent. of the fees so collected.

When they exceed Rs. 50 50 per cent. of the first Rs. 50 collected and 25 per cent. of the amount in excess.

17. A Departmental Sub-Registrar is entitled to draw remuneration consisting of a fixed substantive salary of Rs. 30 per mensem (or of more than Rs. 30 if a higher salary has been sanctioned by Government in respect of the particular office which he holds) plus Rs. 15 per cent. on the fee-income of his office; but if he is a person drawing a pension for service in any department of Government, instead of drawing any such

Remuneration of Departmental Sub-Registrar.

salary, he shall draw such percentage of the fee-income as shall be equal in amount to the fixed salary of the post *plus* 15 per cent. of the fees.

18. In calculating all percentages of fee-income under these rules the following fees shall only be taken into account:—

- (1) Ordinary registration fees (article I of Appendix I).
- (2) Fees for searches (article II).
- (3) Fees for filing translations (article VI).
- (4) Fees for authenticating powers of attorney (article VIII).
- (5) Safe custody fees (article X).

19. When a commission is issued under section 33 or 38 of the Act, half of the fee prescribed in article V of Appendix I is payable to the person by whom the commission is executed in addition to such travelling allowance as he may be entitled to. When a registering officer himself proceeds to a private residence or a jail, under section 31, 33, or 38, he is entitled to half the fee prescribed in article V in addition to any other registration or travelling allowance to which he may be entitled; but this rule does not apply to the officers excepted in paragraph 2 A, who will be entitled only to the travelling allowance admissible under article V of Appendix I.

20. No part of the income from fees can be drawn from the registration department by any officer for such period as he may be absent on privilege or other leave.

21. The fixed salary alone shall be allowed to count for pension, and not the fee percentage drawn in addition to salary.

22. The scale of pay laid down in paragraph 17 was brought into operation from 1st April 1906. But certain Departmental Sub-Registrars, who had then held their posts for at least three years, and who would,

under the new rules, lose over Rs. 60 per annum on their average emoluments in the period 1899—1902, have been permitted to draw fixed substantive pay in lieu of the ordinary pay of Rs. 30 per mensem. Their names and the amounts drawn by each are given in Appendix VI (B).

23. The Sub-Registrars, who are pensioners, will draw no fixed pay, but only a percentage calculated in accordance with the last sentence of paragraph 17.
Remuneration of Sub-Registrars who are Pensioners
 The total of fee-income and pension must not in any case exceed Rs. 5,000 a year.

24. The fixed pay of Departmental Sub-Registrars should be drawn in the monthly district registration establishment pay bills. The 15 per cent. fee-income to which they are entitled will be calculated by them and communicated to the Registrar on the form of commission bill E in Appendix II (see also paragraph 182).
Method of drawing fixed pay and percentage

As regards pensioners it will be necessary for them to calculate each month what percentage of the fee-income will yield the equivalent of Rs. 30 salary (other salary as has been fixed) plus 15 per cent. fees collected, and this rate of percentage shall be entered by them in the form of commission bill referred to.

The fixed pay drawn for Departmental Sub-Registrars should be shown by registrars in the expenditure statement, form B in Appendix I, 6 of the same being sub-divided to show "Percentage." It will also be necessary to provide service books for them as required by article 2 of Civil Service Regulations.

The percentage due to Sub-Registrars shall be drawn by registrars in a commission bill.

25. It should be borne in mind that if the fee income of any departmental office falls much below the present average amount, it would be possible to save disproportionate expense by turning the incumbent into an Honorary Sub-Registrar, and Registrars should report such cases to the Inspector-General.

If fees decrease
departmental should be made
honorary officers

RETIREMENT OF SUB-REGISTRARS.

26. For considering the question of retirement Sub-Registrars are divided into two classes :—

Classification of Sub-Registrars in regard to the question of retirement

- A. Departmental Sub-Registrars who draw a salary and are Government servants.
- B. Honorary Sub-Registrars and those Departmental Sub-Registrars who are pensioners and not Government servants.

27. The age for the retirement of Sub-Registrars of Class A will be 55 years. The procedure laid down in article 459 of the Civil Service Regulations will begin when they attain that age. There is, however, no objection to recommendations being made for extensions for these Sub-Registrars up to the age of 65 if they are efficient.

28. Sub-Registrars of class B who are frequently appointed after the age of 55, will, as heretofore, ordinarily retain their appointments until they are 65 years old.

Retirement of Sub-Registrars of Class B

29. On or before the 1st October of each year Registrars shall forward to the Inspector-General a report in the form in Appendix III regarding all Sub-Registrars who will attain the prescribed age of retirement or whose extension of service will expire during the next official year.

Submission of retirement report

The Inspector-General of Registration will enter his recommendation and forward it to Local Government for orders.

CHAPTER II

ESTABLISHMENTS AND CONTINGENCIES

30. The Inspector General will provide in his budget a sum over and beyond the cost of the permanent district establishment as a reserve from which to meet the cost of temporary establishment. This reserve will not be distributed over districts but allotted by the Inspector General as occasion arises. The Inspector General shall have full authority to regulate and sanction charges on account of the temporary establishments of registering officers, so long as the annual allotment for these charges is not exceeded provided that no member of a registering officer's temporary establishment shall receive a higher salary than Rs 50 per mensem for periods not exceeding one year without the express sanction of Government.

ESTABLISHMENTS

31. To each registrar a muharrir will be allowed, Establishment for regisrars either separately, or in connexion with the establishment of the sub-registrar at the head quarters of the district, on a salary varying from Rs 20 to Rs 30 per mensem according to locality and amount of work in the district. The registrar of Simla, however, has been allowed a muharrir on Rs 50 per mensem as a special case.

32. The strength and remuneration of the establishments of sub-registrars will vary Establishment for sub-registrars according to the amount of work to be performed in each office, and will undergo periodical review when the annual returns are received. As a general rule (which, however, will not be rigidly enforced, liberal allowance being made for special circumstances and localities), these establishments will be regulated according to the following scale —

Where the number of registrations does not exceed 1,000 per annum, a single muharrir, on a salary of Rs 20, should suffice

Where the number exceeds 1,000 but does not exceed 3,000 per annum, the head muharrir may receive a salary of from Rs. 20 to Rs. 30 per mensem, and be aided by from one to three assistants on Rs 20 per mensem each.

Where the number exceeds 3,000 per annum, special arrangements will be made in each case.

Ordinarily no member of the registration establishment will receive a smaller salary than Rs. 20 per mensem. But in small offices, where the number of registrations does not exceed 250 per annum, and the work is consequently not sufficient fully to employ a muharrir, it may, with the previous sanction of the Inspector-General of Registration be made over to a member of the district establishment who will receive an allowance for this duty from the registration department, usually Rs. 5 per mensem, in addition to his proper pay; in other cases the sub-registrar may be allowed, with the previous sanction of the Inspector-General, to make his own arrangements for performing the muharrir's work receiving therefor, from the registration department, a sum not exceeding the copying fees collected.

33. When, in any office the number of registrations in any one month from special or temporary causes is beyond the powers of the permanent staff the Registrar of the district may appoint an additional muharrir on Rs. 15 to 20 per mensem to that office, as a temporary arrangement, reporting it at once for the confirmation of the Inspector General. This additional muharrir shall be retained only so long as may be absolutely necessary.

34. When a registration muharrir is appointed to officiate in some other department, the whole of his pay and allowances shall be charged to that department, and no portion of it will be admitted as a charge against the registration department. But the pay and allowances of his *locum tenens* in the registration office will form a charge against the registration department.

35. Registration muharrirs paid solely by the registration department are not to be employed on other work without the approval of the Inspector-General of Registration, Punjab. Registry muharrirs should also be strictly prohibited from drawing up or engrossing instruments in the registration of which they may subsequently be required to take part.

36. The power of appointing, transferring and dismissing registration muharrirs is vested in the registrar of the district, subject, however, to the general control of the Inspector-General, who has authority for sufficient reason to disallow any arrangement thus made by a registrar, as well as to direct that a muharrir be dismissed or punished in any minor degree for incompetence, neglect, or misconduct. This power of interference by the Inspector-General will, however, be cautiously exercised, and must not be taken as limiting in any way the responsibility of the registrar for the employment of fit and proper persons as registration muharrirs.

As to the promotion of these muharrirs Government have ruled that they should be treated as part of the district establishment and have their claims to promotion considered as part of that establishment.

NOTE.—In view of the authority vested in the Inspector-General by this paragraph, it follows that appeals by registrars on muharrirs against punishments or dismissals ordered by registrars lie to the Inspector-General and not to commissioners of divisions.

37. Registrars in appointing muharrirs to their own offices should, if possible, select men possessing, in addition to a good vernacular education, a sufficient knowledge of English to be able to prepare the monthly and annual returns and to copy the registrar's English correspondence. The head muharrirs of offices where English documents are occasionally presented for registration should also know enough of English to be able to copy these documents into their proper books. It should be considered an indispensable qualification for all registry muharrirs to be able to write the vernacular character in a clear, good, and expeditious hand.

38. The salaries of registration muharrirs will be paid by the treasury officer on monthly bills drawn by the registrar of the district. Any fines imposed during the month should be deducted at the foot of the bill.

39. The permanent service of registration muharrirs is service qualifying for pension. Pensionary claims of muharrirs When a muharrir is about to be transferred to an appointment not qualifying for pension the conditions should be fully made known to and accepted by him and noted in his service book.

40. The Government of India has sanctioned the grant of travelling allowance to registration muharrirs for journeys on transfers from one station to another without the special order of the local government. This sanction is subject to the general condition that a transfer entitling an officer to travelling allowance must be one made for the public convenience, and not at his own request, or in consequence of misconduct.

41. As a general rule and if funds permit one chaprasi should be allowed for each department or honorary sub-registrar. But where such officer is also an honorary magistrate, before sanction to the entertainment of a chaprasi is applied for, it should be ascertained whether a chaprasi is not already entertained, as there is no need that more than one should be employed

CONINGENCIES.

42. The contingencies of the registration department have been declared to be contract contingencies and registrars have been given fixed grants for this purpose. Under Article 74, Civil Account Code, Registrars may incur any expenditure that may be required without further sanction. For detailed instructions they should consult chapter VI of the Civil Account Code and chapter VI of the Punjab Treasury Manual. The unspent balances of contract grants do not lapse and the savings of one year can therefore be utilised subject to budget provision in any subsequent year. The annual budget estimates should however include only the annual fixed grant and not the unspent balances of previous years and in case it becomes

necessary to utilize any portion of these balances an application should be made for an additional allotment to the Accountant-General who keeps a reserve in order to meet such applications.

The contract contingent grant does not cover expenditure on the purchase of strong boxes, padlocks and seals which are supplied by the Inspector-General and paid for out of his office contingencies.

43 Service labels and postcards should be supplied by the registrar to sub-registrars from time to time as required. The account of these should be kept by providing the necessary column in the despatch register of each sub-registration office, the balance being struck in red ink at the close of each month, registrars should see that economy is used in the transmission of papers by post; and when extra postage has been paid owing to the omission on the part of any sub-registrar to affix his signature to a cover, or by an irregularity in its superscription, such extra payment and the postage entailed by consequent correspondence should be recovered from the officer concerned, and should not be allowed to appear in the registrar's contingent accounts.

14. All the contingent expenses of the office of departmental and honorary sub-registrars, excepting stationery, hot and cold weather charges and other charges incurred for their personal convenience, should be defrayed from provincial funds. Expenditure chargeable to Government should be defrayed by the sub-registrars in the first instance and recouped by contingent bills. It is not necessary to make a separate advance to a tahsildar or naib tahsildar in charge of a registration office for expenses connected with that office for such expenses can be easily defrayed out of the permanent advance held in the tahsil for general expenses.

Scrutiny of details will be left to the registrar who will see that no unnecessary expenditure on contingencies is incurred.

45 Paragraph 45 is cancelled.

46. Departmental and honorary sub-registrars
Punkh coolies are not permitted to entertain punkha
coolies at Government expense but
such coolies may be provided for central record offices
and paid out of contingencies.

47. Belts and badges may be supplied to sub-
registrars' chaprasis on the terms laid
Belts, badges and down in paragraph 5 of Punjab
liveries for chaprasis. Government Resolution No. 1395,
dated 25th April 1906, but the provision of liveries is
inadmissible. The maximum cost of a belt is Rs. 6.
Each registrar must fix the cost of a badge according
to the circumstances of his district, but the cost
should not ordinarily exceed Rs. 4.

CHAPTER III

CUSTODY, PRESERVATION AND DESTRUCTION OF RECORDS

CUSTODY AND PRESERVATION.

48 Registering officers are responsible for the pre-
Responsibility for
preservation and
safe custody of records
 servation and safe custody of all
 registration records including those
 of previous years, which have ac-
 cumulated in their offices or have
 been transferred thereto. This responsibility applies
 not only to the registers and records maintained under
 the current Registration Act, No. XVI of 1908 but
 also to those under the previous Acts III of 1877, VIII
 of 1871, and XX of 1866, as well as to those maintain-
 ed under local rules before the extension of the last
 named Act to the Punjab.

49 The offices of all registering officers have been
Strong boxes
 supplied with one or more strong tin-
 lined boxes or almirahs secured by
 locks of approved pattern, in these boxes the registra-
 tion books and all papers and documents connected
 therewith shall be kept and no money or valuables of
 any kind shall be deposited therein. The box shall be
 placed in the room where the registering officer transacts
 his public business and shall be opened and closed by
 that officer himself or in his presence. When locked
 the key shall be retained in his own possession. The
 duplicate keys of these locks supplied to sub-registrar
 shall remain in the custody of the registrar of the district
 who should label each with the name of the sub-district
 to which it belongs and deposit it in some safe place.

The locks and duplicate keys of a registration
 office which has been permanently closed should be
 returned to the Inspector General's office unless a
 new registration office has been simultaneously opened
 in the same district.

The boxes or almirahs of a registration office which
 has been permanently closed, if not required for the

purposes of any other registration office in the district, should be auctioned and the proceeds credited to the head "X—Registration—Sale of old stores and materials."

50. To prevent injury occurring to the older records by damp, white-ants, &c., the boxes should be thoroughly emptied out and their contents examined once a week and all sub-registrars should submit along with their monthly returns, a certificate to the registrar of their district to the effect that the records in their charge have been examined according to rule. Should any injury happen to any of the records, whether by white-ants, fire, flood or otherwise, or should any of them be lost, an immediate report should be made to the Inspector-General by the registrar of the district, who should record at the same time his opinion as to whether any one, and if so, who, is to blame, and as to the measures to be taken to repair the injury or loss so far as may be possible.

51. The registrar of every district has been supplied with a fire-proof safe. In this safe shall be kept wills in sealed covers, and authorities to adopt, which may have been deposited under the provisions of Act XX of 1866, and authorities to adopt executed before 1st January 1872, which may have been deposited under section 2 of Act VIII of 1871; also wills in sealed covers which have been deposited or may be presented for deposit under section 43, and wills which have been or may be opened under section 45 of Act VIII of 1871, Act III of 1877, or Act XVI of 1908. It shall not be used for any other purpose whatever. The key of the safe shall remain in the personal custody of the registrar, who alone shall open and close it; the duplicate key should be carefully labelled and forwarded to the Inspector-General's office for safe custody and issue, as required. The safe shall be placed where it cannot be affected by damp, and it shall be opened and examined at least once a month, with the view of ascertaining that its contents (if any) are correct and in good condition, and that the lock is in order; and every quarter the registrar shall report to the Inspector-General the result of this examination, or if no such examination from un-

avoidable cause has been made, the reason for it. If any will through age or damp has been subjected to such decomposition that it appears likely to become useless the depositor—or his legal representative, if the depositor is dead—should be called upon to replace it, and informed that unless he does so, it will be destroyed when no longer legible. Such destruction should be carried out in the presence of a gazetted officer, who should record a note thereof in his own hand-writing in the register.

52 The Government of India have decided that it is not incumbent on Registrars to verify from time to time the existence of testators, whose wills have been deposited with them for safe custody. All depositors of wills should, therefore, be informed that no steps will be taken by Government to ascertain when they die, and to communicate after their death with the beneficiaries.

CENTRAL RECORD OFFICE

53 In the majority of Punjab districts a central record office for registered documents has been opened and the system should be extended to the remaining districts as circumstances permit. The following paragraphs prescribe how such an office should be constituted and administered.

54 The registrar's office shall contain the central office of record for each district and the registers of his own and those of subordinate offices, which are to be preserved in perpetuity, shall be transferred to it from time to time.

55 A catalogue shall be kept up in every registration office so many pages being set apart for entering up serially the volumes of each species of register, where necessary, year by year. Only permanent records shall be entered such records being of the following character —

(a) For the period prior to the year 1847 (in the south eastern districts of the Punjab only) —

- (1) Such filed copies of documents, along with relevant indexes and diaries, as may still exist
- (2) Any register books that there may be, into which deeds were copied along with relevant indexes

(b) For the period 1847—1856.—

- (1) The single register books into which deeds were copied
- (2) The indexes to the above, if any.

(c) For the period 1856—1867—

- (1) The file books of the copies or the bundles of the copies which were taken from presenters and which, after comparison with originals, were filed
- (2) The register books in which record was made of the names, etc., of the persons who presented the copies and of the nature of the transaction.
- (3) The annual indexes to the above register books.

(d) Period 1868 to date

All volumes of books.* 1 2, 3, 4 and 6 and all annual indexes I, II, III and IV (*vide* sections 51, 54 and 55 of the Act).

In future, when a new catalogue has to be prepared, the following form should be adopted. Existing catalogues need not be altered —

Book or Index No _____

Serial No	Volume No	DATE OF COMMENCEMENT			DATE OF COMPLETION			DATE OF DISPATCH TO CENTRAL RECORD ROOM			Signature of registering officer	REMARKS
		Date	Month	Year	Date	Month	Year	Date	Month	Year		

56. When a central office has been opened no time should be lost in transferring to it from the registrar's and sub-registrar's offices the records mentioned in (a), (b) and (c) of the preceding paragraph, if there are any such. And at the beginning of each calendar year such of the records mentioned in (d) as are completely filled up and in which the last entry dates back over 12 years or such period as the Inspector-General may approve,

*NOTE — Book 1 includes also supplementary book 1 (paragraph 70)

(except indexes I, II and III, which will remain in the office to the central office. be accompanied by an i 3, appendix III). One copy of the invoice shall, after careful verification, be receipted and returned to the office from which it was received with as little delay as possible. Despatching officers will be responsible for seeing that the records are securely packed before despatch, and that every precaution is taken to guard against their loss or damage in transit.

57. Where possible, a special record-room for these records shall be provided in the registrar's office, supplied with racks and presses or with strong wooden or sheet iron almirahs fastened by secure locks.

58. The central office may, with the sanction of the Inspector-General, be placed directly under the supervision of the sub-registrar at head-quarters. But in any case it shall remain in charge of the registrar's muharrir who shall keep a catalogue as prescribed in paragraph 5.

In future when a new catalogue has to be prepared, the following form should be adopted. Existing catalogues need not be altered —

Name of Registration Office _____

Book or Index No _____

Serial No	DATE OF RECEIPT			Volume No	DATE OF COMMENCEMENT			DATE OF COMPLETION			Signature of registrar's muharrir	REMARKS.
	Date	Month	Year		Date	Month	Year	Date	Month	Year		

58 A Whenever there is a change of registering officers or of registration muharrirs or of head registration muharrirs where there is more than one muharrir, the catalogue of permanent records referred to in paragraphs 55 and 56 should be signed by the relieved and relieving registering officers or muharrirs or head muharrirs, as the case may be.

INSPECTION AND PRODUCTION IN COURT.

59. Inspections of registration books and indexes allowed to applicants under section 57 of Act XVI of 1908 shall be made in the presence of the registering officer, and without writing materials.

Inspection of registers, etc., by applicants under section 57.

60. If the production of a register book, or of any document in the custody of a registering officer be required by any court, it shall be forwarded under charge of a member of the registration establishment, and application shall be made to the court for payment of his expenses.

Production of registers, etc., in court.

DESTRUCTION.

61. Each sub-registrar, and the registrar's muharrir for the registrar's office, shall, as soon as possible after the close of each calendar year, submit in Urdu or in English to the Registrar of the district a statement, prepared according to form G, appendix II, containing proposals for the destruction of documents and records which, in accordance with the instructions contained in appendix IX, need no longer be preserved. The registrar, after examining all such statements, shall pass orders for the destruction of such documents and records as he may consider necessary. These statements should be disposed of by registrars by the first March in each year at the latest. Among the older records, the following should not be preserved :—

Annual destruction of useless records.

(1) Old book V which was kept in the years 1866—72 and contains summaries of decrees in land-suits sent to sub-registrars by civil courts.

(2) The serial register books or diaries of the years 1856—68, provided the copies of the deeds entered in these books are forthcoming (with the indexes), and have registration endorsements on them signed by the sub-registrar,—*vide* paragraph 55 (c) (2).

62. When a registered document is destroyed under section 85, a note to that effect shall be made in the column of remarks opposite the record of the copy in the book. If a document, the copy of which is destroyed under the same section, a similar note shall be made in the column of remarks opposite the record of refusal in book 2.

Destruction of registered documents

CHAPTER IV.

BOOKS AND RECORDS.

63. In the office of every registrar and sub-registrar the following registers must be maintained:—

Registers to be kept in offices of registrars and sub-registrars

Book 1.
Supplementary book 1.
Book 2.
Book 3.
Book 4.
Book 6

Each registrar must also keep an additional register called book 5.

Where the sub-registrar and joint sub-registrar are located in the same building and use the same muharrir, only one set of registers should be kept.

[illegible]

Supply of ref :

volumes of convenient size, the number of pages in each volume being certified on the title page. Ordinarily they shall be in the vernacular, but in special cases English forms may be supplied. The volumes shall be numbered consecutively (a separate series for each book for each office), and the number shall not terminate with the calendar year, but shall run on perpetually.

(2) Every registering officer, on receiving a volume from the registrar's office, shall immediately examine it to see that it contains the certified number of pages, and that these have been numbered in proper consecutive order; and he shall note the result on the title page. A similar certificate will be entered by the registrar in any volume brought into use in his own office.

61-A. (1) Registrars will, by the 1st March every year, send to the *Civil and Military Gazette Press* an indent specifying the English and bilingual books and

forms, and to the Central Jail Press an indent specifying the vernacular books and forms likely to be required in their own offices and in those subordinate to them during the next calendar year. The number of forms to be printed each year will be calculated on the average consumption of the three previous years with an addition of 25 per cent., and the deduction of forms in hand. The indent shall be prepared in duplicate, one copy being retained in the indenting office and the other forwarded to the contractors for printing.

(2) The forms and books after being bound will be supplied during the month of October to registrars who will stock them and distribute them when required to sub-offices.

(3) When the books and forms are delivered by the contractors, their number should be carefully checked by the indenting officer, who should satisfy himself that they are in accordance with the indent before signing the receipt for them.

65. When a volume is filled up, the registering officer shall certify, after the last entry, the number of entries made therein during the current calendar year, and the number of pages on which they are written: he shall also examine those entries, and note in his certificate any errors or defects that he may discover.

66. The consecutive numbers of entries in each book prescribed in section 53 shall commence and terminate with the calendar year, and at the close of each such year, the registering officer shall certify, after the last entry of each current volume, the number of entries made in that volume during the year, and the number of pages on which they are written; he shall also examine those entries, and note in his certificate any errors or defects that he may discover. If no entries have been made during the year in any volume, he shall certify to that effect.

67. If in any office the number of documents to be registered be so large that there is difficulty in entering them day by day in the appropriate registers, the registering officer may, with the previous sanction of the

Certificates of examination when a volume is filled up.

Consecutive numbers to be by the calendar year. Certificate at close of year.

Concurrent volume of same register.

Inspector-General, keep up concurrently two volumes of any register book, the documents bearing even numbers being entered in one volume, and those bearing odd numbers in the other. In special cases three or more concurrent volumes may be maintained.

67-A In the offices of the head-quarters sub-registrars of Simla, Lahore and Amritsar, a separate concurrent volume of Book No 1 should be maintained for English documents. All endorsements on English documents should be written in English and on Urdu documents in Urdu. The rule laid down in paragraph 104 will not apply to the English volume of Book No 1.

68. *Book 1* Book 1 is the register of non-testamentary documents relating to immoveable property. It and the indexes relating thereto are open to public inspection, and copies of entries in them shall be given to all persons applying for them on payment of the prescribed fees. In this book shall be entered all documents registered under sections 17 and 18 which relate to immoveable property and are not wills. It shall contain the following headings:—

- (1) Value of stamp, and copy of all endorsements made in the registry office
- (2) Serial number of entry, nature and value of transaction, and amount of registration and other fees and fines levied
- (3) Copy of document registered.
- (4) Remarks.

69 When any document is registered in Book 1 affecting some other document previously registered in it, a note referring to the later document shall be entered in the column for remarks opposite the entry of the earlier document. The note shall be signed by the registering officer of the day. And a note of compliance with this rule and signed by the mulharrir shall always be entered on the copies of documents in which the references to previous documents occur, as without such a note it cannot be easily ascertained whether the rule

References to other documents affecting the same property

has been carried out. Where entries have to be made in registers transferred from sub registrars' offices to a central record room, sub registrars shall maintain lists of all such references and send them to the registrar's office at the end of every month. The registrar's clerk shall then enter the notes in the appropriate registers in the record room, have them signed by the supervising officer, and return the lists duly endorsed to the sub registrars who shall have the requisite notes of compliance entered against the copies of the later documents in their offices.

70 Besides the ordinary entries in this book, the Act requires that the following documents shall be "filed in Book 1" —

Supplementary Book 1

Copies of maps and plans (section 61) ,

Copies and memoranda of documents received from other registering officers (sections 64 to 67) ,

Copies of certificates granted by revenue officers under the Land Improvement or Agriculturists Loans Acts, and of certificates of sale granted by courts under the Code of Civil Procedure or by revenue officers in regard to immoveable property sold by public auction (section 89)

To prevent the injury to the binding and the disturbance of paging, which would result if these documents were filed in the bound volumes, a separate file book called ' Supplementary Book 1 ' is kept in each office in which the above mentioned documents shall be pasted. It shall contain printed slips paged in consecutive order and having columns headed as follows —

- (1) Date of receipt of copy or memorandum
- (2) Date on which document was executed
- (3) Name and addition of executant

As regards the copies of map and plans it will be sufficient to note thereon the registration number and date of registration of the document to which they appertain, and the volume and page where the entry will be found. But all other copies and memoranda filed in this book shall be numbered consecutively and the necessary particulars given of them in indexes Nos I and II, all documents should be pasted in immediately

on receipt, otherwise there is danger of the r being lost or injured. All notes recorded on the documents filed in this book should be signed and dated by the registering officer. In all cases the three printed columns on the pagged slips should be filled up. The certificates at the beginning and end of each volume prescribed in paragraphs 64 and 65, and the annual certificates prescribed in paragraph 66, must be recorded in this book in the same manner as in all the other registers.

71 The chief court has arranged that all copies of certificate of sale granted under the Code of Civil Procedure shall be prepared by the courts on printed forms of a prescribed size and shape, suitable to the size and shape of the registers in which they are to be filed, and that blank copies of these forms shall be supplied on application to the office of the Inspector-General. Sub registrars should not file any copies of sale certificates sent to them unless these are prepared upon the prescribed forms, copies not so prepared being returned to the courts sending them.

72 Copies of orders granting Improvement or Agriculturists Loans Acts should be prepared upon paper the pages of which are of foolscap size. If the whole document cannot be copied into a single half sheet, a whole sheet or more than one sheet may be used, but the paper should be limited to the size of foolscap.

73 When a document is registered under section 62, a note of the pages of supplementary file book on which the translation and copy have been filed, shall be made in the column for remarks. A similar note shall be made when a copy of a map or plan is filed in Supplementary Book 1 under section 61.

74 A special volume of Book 1, to be called the "additional volume", in the form of a file book with numbered butts may be opened in any office, where documents relating to immovable property, executed by or in favour of Government or a local body (including a cantonment committee) or by any person, firm or company having

occasion to procure the registration of any considerable number of instruments in the same form are presented for registration on printed or lithographed form. The copy of each document and endorsement required for entry in the register shall be made by filling in the blanks in a spare copy of the printed or lithographed form and by copying the endorsements written on the original on the reverse of the last page of the copy of the form thus prepared, or on a separate sheet of paper. Each sheet of the copy thus made shall then be passed on a separate numbered butt in the additional volume of Book 1 and the registering officer shall write his signature and the date and shall affix the seal of the office, so that both signature and seal may be partly on each butt sound and partly on the sheet pasted thereon. All documents entered in the additional volume of Book 1 shall be numbered in the same series as documents copied in the ordinary volume. Whenever any such document is transferred to the said additional volume a brief note, showing that document being numbered so and so has been passed into the additional volume at page so and so, shall be inserted in the ordinary volume of Book 1 at the place where the document in question would have been copied but for the opening of this additional volume. The form of the printed butts shall contain the following particulars—

I Value of stamp Act.—This column should also be used for notes of the kind written in the remarks column of ordinary Book 1.

II Serial number of entry Nature and value of transaction and amount of registration and other necessary particulars.

Maps or plans annexed to the printed or lithographed documents should also be passed in the book in Supplementary Book 1.

75—77 Paragraphs 75—77 are cancelled.

78 Priority should be given to the registration of documents presented under paragraph 74 and such priority should be made to return the original document to the presenter before he leaves the office.

79. Book 2 is the record of reasons for refusal to register. It is also open to public inspection, and copies of entries in it shall be given to all persons applying for them; in the event of the applicants being persons executing or claiming under the document, registration of which has been refused, or their representatives or agents the copies shall be given free of charge for copying, though the copy must be stamped. This book shall contain the following headings:—

- (1) Serial number
- (2) Date of order of refusal.
- (3) Name of person presenting document
- (4) Nature and value of transaction
- (5) Reasons for refusal
- (6) Remarks.

A brief description of the rejected document is sufficient, and there is no need to copy it into the book *in extenso*

The reasons for refusal should be sufficiently full to enable an appellate or inspecting officer to judge of their sufficiency, but they need not contain a summary of any evidence which the registering officer may have taken, such evidence should be recorded on separate sheets of paper and filed in the office. When a document, the registration of which was originally refused, is subsequently registered by order of a registrar, under section 72 or 73, or of a civil court under section 77, a note of such order shall be made in column (6) of this register opposite the original record of refusal.

In his copy of this book the registrar, as required by section 76, must record his reasons, not only for refusing to register a document, but also for rejecting an appeal from the order of a sub-registrar subordinate to him.

80. Book 3 is the register in which wills and authorities to adopt are to be copied after they have been accepted for registration under section 11, also such wills as have been opened by the registrar under sections 15 and 16. This book is not open to public inspection, nor are its indexes; but copies of entries in it or therein shall, on payment of the prescribed fees, be given to the persons

executing the documents to which such entries relate, or to their agents, and after the death of the executants (but not before) to any person applying for such copies. The necessary search shall be made by the registering officer in person. When a will entered in this book affects immovable property situate in districts or sub-districts other than that where the entry has been made, no copy or memorandum of such will need be sent to the registering officers of those districts or sub-districts. This register shall contain the same headings as Book 1.

81 To prevent mistakes, it is here explained that every document making posthumous disposition of property is a "will", and should, when registered, be entered in Book 3. Further, that a document which merely declares the fact of having adopted a son, or given a son for adoption, is not an "authority to adopt," and should *not* be entered in this book unless it contains testamentary dispositions which bring it within the above definition of "will".

82 Book 4 is the miscellaneous register, in which are to be copied all documents registered, under clauses (d) and (f) of section 18 which do not relate to immovable property. It is not open to public inspection, nor are its indexes, and copies of entries in it or them shall be given on payment of the prescribed fees, only to the parties executing or claiming under the documents to which such entries relate, or to the agents or representatives of such persons. The necessary search shall be made by the registering officer in person. This register shall contain the same headings as Book 1.

83 A special volume of Registration Book 1, to be called "additional volume," in the same form as prescribed in paragraph 71, may be opened in any office where documents executed by or in favour of Government or of a local body (including a cantonment committee) or by any person, firm or company having occasion to procure the registration of any considerable number of instruments in the same form, are presented for registration on printed or lithographed forms. As to the mode of using this book the instructions in paragraph 71 would equally apply.

84 Paragraph 84 is cancelled.

84-A A separate file book should be opened in every registration office in the same form as Supplementary Book No 1 (paragraph 70 *ante*); and all copies and translations of documents written in languages not in common use in the Punjab and registered in Books 1, 3, and 4 should be filed in it. The number and date of registration of the document to which the copy and translation appertain should be noted thereon along with the volume and page where the entry of the document will be found. Translations and copies should be pasted in the file book immediately after the documents to which they appertain, have been copied in the appropriate books as otherwise there is a danger of their being lost or injured. In all cases the three printed columns of the paged slips should be filled up. The certificates at the beginning and end of each volume and the annual certificates must be recorded in this book in the same manner as in all other registers.

85. Book 5 is the register of deposit of wills, and is to be kept only in the offices of Registrars, who alone can receive wills in sealed covers for deposit. It shall contain the following headings:—

- (1) Serial number
- (2) Superscription on the sealed cover.
- (3) Inscription on the seal of the cover.
- (4) Time of presentation and receipt of the sealed cover:—

Year Month. Day. Hour

- (5) Name of depositor.
- (6) Names of persons testifying to the identity of depositor.
- (7) Time of delivery of the sealed cover to applicant for withdrawal:—
Year. Month Day. Hour
- (8) Names of persons testifying to the identity of the applicant at the time of delivery.
- (9) Times of opening the sealed cover:—

Year. Month. Day. Hour

Columns (1) to (6) shall be filled in when a will is first deposited under section 43, columns (7) and (8) shall be filled up in the event of the will being subsequently withdrawn, and column (9) shall be filled up when a will is opened after the death of the testator, under section 45 or 46. All these several entries must be verified by the signature of the registrar for the time being. When a will has been removed by order of court under section 45, the fact shall be noted in red ink across the entry, and the note shall be authenticated by the signature of the registrar.

86 In addition to the above books, there shall be kept in every registry office a memorandum book, to be called Book 6 for the purpose of recording brief abstracts of powers of attorney authenticated under section 33, clause (1). It shall contain the following headings —

- (1) Serial number
- (2) Date (year, month, day)
- (3) Name and addition of principal executing the power
- (4) Name and addition of attorney
- (5) Names of persons identifying the principal
- (6) Value of stamp, amount of fees levied, and brief abstract of contents of power

In the last of these columns it shall be noted amongst other things, whether the instrument gives express or implied authority to the attorney to present a document for registration, whether the power is a special or a general one, and if special, in what registry office it is intended to be used. It is not necessary to copy out the document *in extenso*.

87 To prevent mistakes it is here explained that the only description of power of attorney, which a registering officer is competent to authenticate under section 33, is one which contains authority to present for registration, a document executed by the principal, and this is the only kind of power of which entries should

Authentication of
powers of attorney by
registering officer

be made in Book 6. Such a power of attorney may, of course, be registered like any other document, but it will not be valid for registration purposes, unless it has been authenticated under section 23. Accordingly when a power of attorney is presented by a person who presumably does not understand the distinction between registration and authentication, and it be not a power which the registering officer can authenticate, he shall register the document in his Book 1. But if the power contain authority to present for registration a document executed by the principal, the registering officer shall explain the difference between authentication and registration, and ascertain the presenter's exact wishes in respect of the document. There is nothing, of course, to prevent such a document being registered as well as authenticated if the principal wishes it, but in that case the two operations shall be treated as separate transactions, and the usual fees shall be levied for both. If the power of attorney confers other powers besides an authority to present for registration a document executed by the principal must be registered in Book IV and will also be authenticated and entered in Book VI, if the presenter wishes.

BOOKS IN WHICH CERTAIN CLASSES OF DOCUMENTS SHOULD BE REGISTERED.

88. When a document is admitted to registration the registering officer has to determine in which book it should be registered. This is a very important matter, not only because some of the books are open to public inspection while others are not, and because the rates of fee differ, but also because questions of jurisdiction and limitation are involved.

Ordinarily no difficulty will be experienced in determining, for the purposes of the Act, what is and what is not "immovable property," but as occasionally doubts on this head may arise, the following rulings are here noted for the guidance of registering officers.

By letter No 49-1811, dated the 31st October 1881 the Government of India in the Home Department ruled that trees sold with a view, to their being cut down and removed are 'standing timber' within the meaning of section 2 (9) of the Registration Act, while trees sold

with a view to being kept permanently standing and enjoyed by the taking of their fruits or otherwise are immoveable property. In conformity with the above ruling documents relating to trees of the classes ordinarily used for timber should be registered in Book 1 unless the terms of the document clearly contemplate their being kept standing and enjoyed. Conversely, documents relating to trees not ordinarily utilised as timber would be registered in Book 1 unless the terms of the document made it clear that they were to be cut down.

Agreements relating to the manufacture of salt
 Saltpetre manu- petre, and to other products of the earth
 facture (except standing timber, growing crops
 and grass) should be registered in Book
 1 as documents relating to immoveable property.

An instrument conferring the right to cut *sajji* for
 a term of years over a specified area of
sajji lands land and conveying a right not only
 to the *sajji* plants growing at time of contract but to
 those produced on the land *in futuro* for the terms of
 years agreed upon, is registrable in Book 4.

An instrument containing an undertaking, in con-
 sideration of a sum of Rs 150, which
 Engagements to the executant acknowledged to have re-
 execute a document re- ceived, to proceed within two months to
 time a document re- an adjoining district, where he posses-
 lating to immoveable ed some unspecified land and to execute
 property and register a mortgage of such land, or failing to do so
 to refund the said sum of Rs 150, has been held to be
 registrable in Book 1, not being a document relating
 to immoveable property within the meaning of the Act,
 but only an undertaking to execute such a document at
 a future time.

A document conveying the income of a *mela* (i.e.
 the offerings of worshippers at the
 shrine) was ordered to be registered in
 Book 1 it being held that as the pro-
 perty transferred was in some derived from a sacred
 building, the document should for registration purposes,
 be treated as one relating to immoveable property.

Acknowledgments of the receipt or payment of the consideration for the conveyance, &c., of *immovable property* must be registered in Book 1, of other property in Book 4

Receipt for consideration money

The allowance to village headmen of 5 per cent on the land revenue commonly known as *hakk lambardari* is "a benefit arising out of land" within the definition of "immovable property" in section 2 (6) of the Registration Act

Instruments of adoption often give rise to doubt as to their proper treatment in a registration office. The following instructions in regard to their registration should be followed

Adoption deed

Deeds of adoption, as generally met with in practice may be divided into four classes —

- (1) Deeds which recite the fact of adoption only,
- (2) deeds which recite the fact of adoption, and convey the property of the adoptive father to the adopted son in the lifetime of the former,
- (3) deeds which recite the fact of adoption, and will the property to the adopted son after the adoptive father's death,
- (4) adoption deeds executed by widows in pursuance of an authority to adopt

Instruments of the first class fall under section 18, clause (f) of the Registration Act, and their registration is optional but they must be presented if registration is desired, within the time allowed in part IV. They should be registered in Book 1, and described therein and in the statistical returns as "adoption deeds" (*mutbana-nama*). They are chargeable with stamp duty, under schedule I, article 3, of Stamp Act II of 1899.

Instruments of the second class should always be recorded in the registers and statistical returns as "instruments of gift" (*hiba-nama*). They must be

brought for registration within the period of limitation allowed in part IV, but are subject to different treatment according as the property transferred, is immoveable or moveable. Where the property transferred or any part thereof is immovable, the instrument falls under section 17, clause (a), and registration is compulsory.

The said registration should be made in Book 1, the fee payable being according to the scale given in appendix I, article 1 (a). Where the whole of the property conveyed is moveable, the instrument falls under section 14, clause (d), and registration is optional. The instrument should be registered in Book 4 and the fee is 1 rupee. In either case the instrument must be stamped as a conveyance on the value of the property transferred under schedule I, article 33, or as an adoption-deed under schedule I article 3, of the Stamp Act II of 1899, whichever is highest. See section 6 of the Stamp Act.

Instruments of the third class must be recorded and treated in every respect as wills (*wasayat nama*). Their registration is optional (section 18, clause (e)) and they may be presented at any time (section 27). They must be registered in Book 3, and are liable to a registration fee of Rs 4, but are exempt from stamp duty.

Instruments of the fourth class must be treated in every respect as those of the first. But care must be taken to distinguish between instruments conferring authority to adopt a son (*ijazat nama tabniyat*) and adoption deeds executed in pursuance of such authority as to which as well as to the definition of a 'will,' paragraph 81, may be consulted. The registration of an authority to adopt is compulsory, while that of an adoption deed is optional, the former must be registered in Book 3, the latter in Book 4, the registration fee for the former is Rs 4 and for the latter 1 rupee, both instruments are, however alike chargeable with a stamp duty of Rs 10, under schedule I, article 3, of the Stamp Act.

Adoption deeds not uncommonly contain stipulations on the part of the adoptive father for the maintenance of the adopted son, and provisions for his marriage expenses. Such stipulations are to be regarded only as a

record of the duties which are imposed by the law itself, without express mention, upon the adoptive father, and do not bring the deeds which contain them within the definition of "agreements" in section 2, Act IX of 1872

Care should be taken to distinguish between deeds of lease and deeds of mortgage for a limited period and the classification adopted by the deed-writer should not always be preferred. Generally speaking, it may be said that if land is transferred in order to secure the repayment of a lump sum of money advanced to, or due from, the owner of the land the deed is usually a mortgage deed, whereas in the case of a lease the land is transferred on account of a future recurring annual payment. If registering officers hold that a so called lease presented to them for registration is really a deed of mortgage, they should treat it as such for the assessment of stamp duty and registration fees, and if it is under-stamped should impound it. The real nature of the deed should of course be shown in column 2 of Book 1

INDEXES

89. The current indexes, required by sections 51 and 55 to be kept up in every registration office, shall be prepared on printed forms containing the particulars hereinafter set forth. The forms shall ordinarily be in the vernacular, but in special cases English forms may be supplied.

For the purposes of this paragraph the offices of a sub-registrar and joint sub-registrar located in the same building and using the same muharrir shall be deemed one office.

90. Index No. 1 is that in which section 55 requires that the names and additions of all persons executing, and of all persons claiming under every document entered or memorandum filed in Book 1, shall be entered. It shall contain the following headings. —

- (1) Name of person.
- (2) Father's name.

- (3) Residence.
- (4) Profession, trade, caste
- (5) Interest in the transaction (*e.g.*, purchase, mortgage, &c)
- (6) Number of volume in which document is registered
- (7) Page of ditto ditto
- (8) References, (*i.e.*, to initial letters of other index entries relating to the same transaction)

This index shall contain the names and addresses not only of the parties concerned in the documents copied into Book 1, but also of those concerned in the copies or memoranda of documents received from other registration offices and filed under sections 64, 65, 66 and 67, as well as those concerned in the copies of orders by revenue officers granting loans under the Land Improvement or Agriculturists' Loans Acts and of certificates of sale granted by civil courts under the Code of Civil Procedure or by revenue officer in regard to immoveable property sold by public auction which are filed under section 89 of the Registration Act. In the case of such sale certificate the only names of person that need be indexed are those of the judgment debtor as vendor and the auction purchaser as vendee.

91 Index No II is that in which by section 55, the particulars mentioned in section 21, relating to every document entered or memorandum filed in Book 1, are to be entered. It shall contain the following headings—

- (1) Name of city, town or village
- (2) Name of taluk or pargana
- (3) Name of district
- (4) Nature of transaction (*e.g.*, sale of land, lease of house, mortgage of land or house, &c)

(5) Number of volume in which document is registered.

(6) Page of ditto ditto

A sub-registrar, on registering a document of the nature mentioned in section 64 or 65, shall enter in this index only that portion of the property which is situate in his own sub district. A registrar, on receiving a copy of a document under section 65, 66 or 67, shall enter only the property situate in his own district. A sub-registrar, on receiving a memorandum of a document under section 64, 65, 66 or 67, or a copy of an order or certificate under section 89, shall enter the particulars of the property concerned in this index.

92. Index No. III is that in which section 55 requires the names and additions of all persons executing every will and authority to adopt copied into Book 3, and of the executors and persons respectively appointed thereunder, and after the death of the testator or donor (but not before) the names and additions of all persons claiming under the same, shall be entered. It shall contain the same headings as index No. I.

93. Index No IV is that in which section 55 requires the names and additions of all persons executing and of all persons claiming under, every document copied into Book 4 to be entered. It shall contain the headings prescribed for index No I

94. Index entries shall be made on the same day as the document to which the Index, now to be prepared relate is copied or filed in its proper register and shall on no account be allowed to fall into arrears. They shall be made alphabetically in Urdu in the first instance on loose forms, a separate form being used for each letter of the alphabet. On the expiration of the calendar year, copies of the index entries for the year in each sub registrar's office shall be made and forwarded to the Registrar, provided that nothing in this paragraph shall require a sub registrar to furnish the registrar of his district with copies of entries in his index No. IV

95. Registrars, on receiving index sheets from their sub-registrars, shall file them with their own index sheets, each under appropriate letter.

97 In the case of Indians the first letter of the person's name shall be the guide to the letter under which the index entry is to be made and not of his title or caste. In the case of Europeans, the initial letter of the surname shall be the guide. In the case of documents in which the Government is concerned an index entry shall be made (amongst others) under the letter *S* (*sin*) as the initial letter of *Sarlar*. Entries regarding Companies, Banks etc., shall be made under the initial letter of the first word omitting the article.

98 The following *subsidiary books* must also be maintained in the office of every sub registrar —

Receipt books A and B

Order file

But in the circumstances referred to in paragraph 63 only one copy of the above should be maintained for both offices.

99 The *fees book* will be kept in the vernacular, printed bound volumes containing 100 or 200 pages each being supplied from the registrar's office. This book must be written up *number and the number entered being shown separately, and the total collections of the day entered in the appropriate column, copying fees being shown separately from other fees. This daily total must be verified by the signature of the registering officer. On the last account day of each month the several columns*

of the fees book will be totalled (totals to be written in red ink) and signed by the registering officer, the entries for the remaining days of the month being carried forward to, and included in the totals for the following month. Thus in July, the book will be totalled on the 27th, the entries from the 28th July to the 27th August being treated as pertaining to the month of August and so on.

Where there is a Government treasury or sub-treasury at the same place as the registration office the fees taken at the latter shall be paid into the former daily. The signature of the treasurers at head quarters and of photedars at taluk treasuries being taken in the fees book in acknowledgment of receipt of the items entered. All sums received subsequent to the closing of the treasury or sub-treasury accounts for the day shall be credited the next day along with receipts up to the hour of closing of the treasury or sub-treasury accounts for that day, and so on. All sums taken on any day on which the treasury or sub-treasury is closed owing to holidays shall be credited the day on which the treasury or sub-treasury re-opens. The words 'treasury closed' should however be entered in the fees book against the fees of the day in which it is closed on this account. When a registration office is situated at a place where there is no Government treasury or sub-treasury the collections of the registering officer may be transmitted by him monthly to the nearest treasury, in time to admit of their being included in the current month's accounts, or should it appear more convenient to the registrar of the district the fees may be remitted by money order. The rules for Government dues, money orders, and expenditure incurred on commission for the transmission of registration contingencies.

Registering officers should be careful to levy the correct amount of fees as is levied in every district. It should be remembered that when under section 10 several copies of a document have to be made, the property concerned being situated in different districts, a copying fee under article III of the rules should be charged upon each copy, but it should be levied for the original document only. In these sections no provision being made for a table of fees for levying copying fees on documents.

* Note.—The table of registration fees should be found in the rules.

Registering officers are also personally responsible that all fees, including fees for copies, are correctly shown in the accounts, and are properly credited in the treasury. Copying fees must be credited at the same time as other registration fees, daily or monthly, according to the practice of the particular office.

100. *Receipt books* are supplied from the registrar's office. The forms of the three kinds of receipts are given at the end of appendix II to this manual. Each volume of receipt Book. A contains 100 blank printed (vernacular) forms, and each form is divided into three parts, viz:—

- (1) to contain particulars for identifying the document presented for registration, and an acknowledgment of the receipt of the prescribed registration fees. This is to be filled up, torn off, and given to the presenter on realization of the fees.
- (2) to contain a brief description of the document, and an acknowledgment of its receipt for registration. This is the 'receipt' mentioned in section 52 of the Act, and it should be filled up, torn off, and given to the person presenting the document, at the same time as the receipt for the fees.
- (3) the counterfoils which remain permanently in the book.

These receipts are to be numbered consecutively, a fresh series being commenced for each calendar year; registering officers should see that they are given in the order in which documents are presented for registration, that all prescribed particulars are filled in that in the place for description of property it be stated whether it is immoveable or moveable, and, in the case of mortgages, whether with or without possession, and, lastly, that the name of the *executant*, and not (as is sometimes erroneously done) the name of the *scribe*, be noted in the place provided for this purpose.

When the document is about to be returned after registration to the party who presented it, or to such other person as he may have nominated to receive it in the manner described in section 61 of the Act, the receipt granted under section 52 should be taken back from him

and pasted to its proper counterfoil in the receipt book, after noting on it the day and hour on which the document was returned. Where the original receipt is not forthcoming, the written acknowledgment allowed by paragraph 153 should be pasted to the counterfoil of the original receipt. Receipts for documents returned by post should be dealt with as prescribed in paragraph 155.

When all the receipt forms in a volume have been used and re-pasted as above described, the sub-registrar will forward it to the registrar of the district who will cause it to be carefully examined to see, in each case, that the fees have been correctly levied, that the document was duly stamped, and that there had been no undue delay in returning it, and he will take such action thereon as may seem to him to be necessary. Thereafter, he will retain the book in his office until sanction is given, in due course, for its destruction.

Receipt Book B is for receipts for all fees etc., which are paid at times other than the presentation of a document.

Receipt Book C in English containing 20 pages is for receipts to be granted by the registrar in acknowledgment of the receipt of fees recovered for sealed wills deposited under section 12 of the Registration Act. It has been found necessary specially to prescribe this form so as to comply with the requirements of the last sentence of paragraph 52 *ante*.

101 The *order file* is a paste book, in which should be filed all orders of a permanent kind received in the sub-registrar's office, whether emanating from the Inspector General, or the registrar of the district, or any other authority. All orders of this character should be pasted in *as soon as received*, and should not be allowed to lie loosely about, a list should be prepared for each year and pasted into the order file, containing a brief description of all orders so filed, this list should not be made up at the end of the year but written up from time to time as orders are filed.

102 Besides the foregoing books the offices of sub-registrars should contain the following records, in addition to such others

as the registrar of the district may direct or the Inspector-General of Registration may from time to time prescribe—

Powers of attorney authenticated under section 33, presented by agents bringing documents for registration (paragraph 129), to be kept in annual bundles

Copies of decrees of court ordering cancellation of registered documents, received under section 39 of the Specific Relief Act (paragraph 107), and copies of decrees of civil courts directing registration of documents under section 77 of the Registration Act, to be kept in annual bundles

Copies of orders of cancellation or revision under the Punjab Alienation of Land Act (paragraph 106), to be kept in annual bundles

Depositions of witnesses examined by the registering officer (paragraphs 139 and 201), to be kept in annual bundles

Miscellaneous papers of an ephemeral character, to be kept in bundle, of convenient size until authority is given for their destruction

A copy (in Urdu) of the current *Table of Fees*, to be attached to a board and exhibited, during office hours in a public manner

A copy each (in Urdu) of the Stamp Act and Registration Manual

A despatch book for all papers issued, including registered documents returned through the post, and a file book of postal receipts for such registered documents (see paragraph 155)

The despatch book will be in the following form —

Column 1 — Serial No

„ 2 — Date of despatch

„ 3 — Subject of paper despatched

„ 4 — Address

„ 5 — Signature of receiver or number and date of postal receipt

NOTE—When a registered document is returned by post the registrar to number and list all articles given in column 3

A minute book in which inspecting officers should record their remarks. The remarks should be written in English only, but if the registering officer is unacquainted with English a translation should be attached.

In the circumstances referred to in paragraph 6f only one set of the above mentioned records should be maintained for both offices.

A mislband register in the following form should be kept in all the registration offices and all papers including those mentioned above should be entered in the register :—

Column 1.—File No.

Column 2 —Date of institution.

Column 3 —Subject

Column 4.—Names of parties

Column 5.—Kind of deed and amount of consideration money.

Column 6.—Particulars of the property involved

Column 7.—Date of completion of file.

Column 8.—Abstract of order.

Column 9.—Date of destruction.

Columns 4, 5, 6 and 8 need not be filled in case of annual files

Each kind of file should be entered on a separate page and sufficient number of pages should be allotted to each kind of file to last for several years.

103 *Applications for copies* of registered documents shall be kept in an annual bundle, apart from other miscellaneous papers

(a) An index shall be attached to this bundle giving (1) serial number for the year, (2) date of application, (3) amount of fees realized, (4) date of grant of copy, and (5) name of applicant

(b) On receipt of an application for a copy (1) and (5) will be filled up, and the serial number entered on the application, after the copy has been given

to the applicant, (3) and (4) will be filled in, and the application filed in its proper place

Use of vernacular and English numeral 101 Vernacular numerals should be used in the following books and documents —

- (a) all registers,
- (b) all endorsements on deeds,
- (c) receipt books A and B

In all other official registers and papers English figures must be used

CANCELLATION AND COPYING OF REGISTERED DOCUMENTS

105 When under the provisions of section 39 of Act I of 1877 (*The Specific Relief Act*) any registered document is cancelled by order of court, the original document shall be sent to the office in which the cancellation is made, and the cancellation shall be signed by the court. The cancellation shall be made in red ink in the column for remarks of the proper register book, opposite the copy of the document cancelled, specifying the court ordering cancellation and the number and date of its decree. All copies of decrees received under this rule shall be filed in annual bundles

106 When a mortgage-deed is cancelled by the Deputy Commissioner under section 9 (2) of the Punjab Alienation of Land Act (XIII of 1900), and a new deed is drawn up in lieu thereof, the Deputy Commissioner shall send to the office, in which the cancelled deed was registered a copy of his order of cancellation, and the registering officer shall make a note of the cancellation in red ink in the column of remarks opposite the copy of the document cancelled

107 In cases in which a registered mortgage deed is revised or altered by the Deputy Commissioner under section 9 (1) or where under section 9 (2) of the Punjab Alienation of Land Act (XIII of 1900), a condition intended to operate by way of conditional sale is struck out, the Deputy Commissioner shall, when returning the

document to the parties after revision, alteration or striking out send a copy of his orders to the office where the document was originally registered, and the registering officer concerned shall make a note of the correction revision or striking out together with a reference to the Deputy Commissioner's order in the column of remarks, against the copy of the document concerned.

108 When a deed has been copied into the wrong book, it should be recopied into the proper register and a note of the transfer made against the original entry. Care should also be taken to correct the entries in the indexes. A mistake of this kind does not invalidate registration (section 87 of the Act) and fresh fees should not of course be levied for the recopying.

AUTHENTICATION OF REGISTER BOOKS

109 Every entry made in Books 1, 3 and 4 shall be an exact counterpart of the original and shall be carefully compared with it. All interlineations, blanks, erasures or alterations which appear in the original shall be shown in the copy entered in the register. The registering officer shall satisfy himself that this has been done, verifying by his signature or initials any corrections rendered necessary by mere errors of transcription. Such corrections should in all cases be made in red ink and never by erasure with a knife. The registering officer shall also see that the entry has been made in the book to which it properly belongs, that the number affixed to it is that which it ought to bear in order to maintain the consecutive series required by section 3 and that the book, the volume, and the page entered in the certificate of registration are correctly stated, after which he shall authenticate the entry by legibly affixing his signature in full together with his official designation at the end of the copy of the document registered. Copies of endorsements shall also be initialed or signed by the registering officer. All signatures must be copied into the register books in their proper places, whether such signatures occur in the original documents or in the endorsements made in the registry office. The entries in all the books prescribed by the rules shall be authenticated daily.

110. When by any chance an error has been made in the consecutive numbering of documents registered, as prescribed in section 53, and the error is not discovered in time to admit of its correction before the document is given back to the presenter or the party authorized by him to receive it, the erroneous number must be allowed to stand, and no subsequent alteration is permitted; but a note of the error shall be made in the proper column of the register, and signed by the registering officer.

111. It should be borne in mind that the registers are permanent records; care should accordingly be taken that all entries made in them are written in permanent black ink. The use of fancy-coloured aniline and other evanescent inks is absolutely forbidden. The same rule applies to documents filed in Supplementary Book 1, and a registering officer receiving a document to be so filed, written with evanescent ink, should not file it, but return it to the sender in view to its being rewritten with permanent ink.

SUPPLY OF BLANK REGISTERS, ETC

112. Applications should be made by sub-registrars to the registrar's office for such blank registers and receipt books as may be required; the application may conveniently be in the form shown in the margin, and should be made in ample time to admit of the arrival of the books before they are actually required. The name of the applying officer, the description of book required and (in the case of registers) number of the volume, should be stated in the application. A similar procedure should be followed in applying for indexes and other printed forms supplied from the registrar's office. Registering officers on receipt of register books will, at once, make the examination and record the certificate required by paragraph 64.

Application for blank books and forms

Office of Sub-Registrar
of _____
Volume _____ Book _____ being
nearly filled, Volume _____
is required.
Date _____ Signature _____

Office of Registrar
Volume _____ Book _____ is
this day forwarded. Its receipt
should be acknowledged.
Date _____ Signature _____

Office of Sub-Registrar
of _____
Volume _____ Book _____ is
this day been received.
Date _____ Signature _____

CHAPTER V

PROCEDURE.

PROCEDURE PRIOR TO ACCEPTANCE

113. Documents must ordinarily be presented and registered at the registration office at the head-quarters of each district or sub-district, as the case may be. But, as provided by the Act, on special cause being shown registering officers may proceed to the private residence of any person desiring to present a document and accept it there for registration. This permission, however, must not be interpreted as extending to the acceptance for registration of documents at the private residence of the registering officer.

114. Section 38 of the Act exempts from personal appearance at a registration office, persons unable from bodily infirmity to attend without risk or serious inconvenience, persons in jail, and persons exempt by law from personal appearance in court. In every such case the law requires that the registering officer shall either himself go to the house of such person, or to the jail in which he is confined, and examine him, or issue a commission for his examination. In every case of issue of a commission by a sub-registrar, he should report to the registrar the name and position of the person to whom it was issued, and the reason for not having himself proceeded to the spot*. As a rule where the treasury officer is the sub registrar, the sadar tahsildar, or in his absence the naib-tahsildar, should be entrusted with the execution of commission; and where the tahsildar is the sub-registrar, the naib-tahsildar should be employed on this duty. The issue of commissions to a registration muharrir is absolutely prohibited.

115. The foregoing paragraph applies to commissions issued under section 33 as well as under section 38. The person executing the commission will be entitled to the allowances men-

*It is not a duty to traverse estates performing regular duties who are not required or expected to make personal visits to the residence of the

tioned in paragraph 19. Where several instruments executed by the same person are presented for registration together, and it is necessary to issue a commission to examine that person in respect to the execution thereof, one commission-fee only should be levied. Where also two or more persons are examined by a person executing a commission, or by a registering officer attending at a jail or private residence, one fee only should be levied if the persons examined reside, or at the time of examination are actually present, in the same jail or in the same town or village. If, however, the person executing a commission, or registering officer, is obliged to visit more than one place for purpose of the examination, a separate fee should be charged for each journey. If a single journey is made to register documents belonging to different executants the commission-fee shall be charged against each person or group of persons registering a document or documents but only one travelling allowance should be charged and it shall be charged in equal parts against these persons or group of persons. Travelling allowances shall in each case be charged according to the actual distance travelled over.

116. Where registering officers have other duties to perform, a certain portion of each day shall be allotted exclusively to registration work. The time so set apart shall be made generally known, and a written notice of it shall be exhibited in a conspicuous and accessible part of the building in which the registry office is located. The notice shall state the hours at which documents will be received and returned daily. Similar notices shall be posted outside the offices of whole-time registering officers. The latter should usually attend at their offices during the ordinary hours of business (10 or 11 A. M. to 4 or 5 P. M.)

117. At the hours appointed in the notice, the registering officer shall personally receive all documents for which registration is sought and have them examined in his own presence.

118. When a document is presented the first duty of the registering officer is to examine it to see that it is duly stamped; this is an obligation imposed by law, which

must take precedence of all other procedure. Special powers of attorney for the conduct of cases in British courts should be stamped with court-fee labels according to the scale in article 10, schedule II of the Court-fees Act, but all other powers of attorney, including those for the conduct of cases in foreign courts, whether special or general, must be stamped with non-judicial stamps according to article 48, schedule I, of the Indian Stamp Act. When a document bearing a court-fee

Cancellation of court-fee stamps label is presented for registration, the registering officer, before returning it after registration, will cancel the label by writing the word "registered" with his signature and the date of registration across it.

119. When an instrument executed on unstamped paper is presented for registration and exemption from stamp duty is claimed under the general exemption in favour of government contained in proviso (1) to section 3 of the Stamp Act, it will be the duty of the registering officer before accepting the instrument for registration, to satisfy himself—

Exemption from stamp duty of instruments to which government is a party

- (1) that it was executed by, or on behalf of, or in favour of government, and
- (2) that, but for the exemption, Government would be liable to pay the stamp duty.

On the second point difficulty will seldom or never arise, distinct provision being made for it in section 29 of the Stamp Act, and as to the first point, the instrument itself will ordinarily disclose on its face whether it was executed by or on behalf of, or in favour of Government. Occasionally, however, such instruments are drawn so as to disclose that they have been executed by, or on behalf, or in favour not of Government, but of an officer of Government described by name and official designation, and in such cases reasonable doubt may arise as to whether the officer concerned acted in a private or public capacity, and if the latter, whether as representing the Government or some other public body (such as a municipal committee) not exempted by proviso (1) to section 3 of the Stamp Act. In cases of this kind the registering officer must satisfy himself that the Government is a party to the transaction. To this end, he should, where a Government

officer is the executant, apply to that officer *direct* for the necessary information under section 83 of the Registration Act; and in other cases he may take evidence under the provisions of sections 35, 36 and 61. Should the enquiry prove satisfactory, he will accept the document for registration (if admissible in other respects), endorsing thereon that after enquiry he has satisfied himself that it is exempt from stamp duty under proviso (1) to section 3 of Act II of 1899.

120. The class of instruments known as "*bai-bil wafa*" or conditional sales, must for the purposes of stamp duty be treated as mortgage deeds chargeable under clause (a) or clause (b) of article 40, schedule I of the Stamp Act, according to whether or not, at the time of execution, possession of the property or any part of the property comprised in the deed is given by the executant, or agreed to be given.

Deeds of mortgage without possession containing a condition that possession will be given if the terms of the mortgage are not complied with by the mortgagors are chargeable with stamp duty under clause (b) and not under clause (a) of article (40), schedule I, of the Stamp Act

121. If the registering officer is of opinion that a document presented to him is not duly stamped, he shall impound it under section 33 of the Stamp Act, and send it to the collector to be dealt with under section 40 of the same Act.

122. When the registering officer is satisfied that a document presented to him for registration is duly stamped he will examine it to see whether he has authority to register it, and on this head parts V and VII of the Registration Act should be consulted. For the purposes of jurisdiction, documents may be grouped into four classes:—

- (1) non-testamentary documents relating to immoveable property, mentioned in clauses (a) to (d) of section 17, and clauses (a) to (c) of section 18;
- (2) wills and authorities to adopt;
- (3) copies of decrees and orders of court;
- (4) all other documents.

Instruments of the first class may be accepted for registration by any sub-registrar within whose sub district any portion of the property concerned is situate. Instruments of the second class may be registered in any office. A copy of a decree or order may be registered in the office of the sub-registrar in whose sub district the decree or order was made, or (if it does not affect immoveable property) in the office of any other sub registrar under the local government at which all the persons claiming under the decree or order desire the copy to be registered. A document of the fourth class may be registered either at the office of the sub-registrar at the place of execution, or, by desire of the executants and persons claiming under it, in the office of any other sub registrar under the local government.

123 A registrar may accept for registration any document which might be accepted by any sub registrar subordinate to him; and the registrar of the Lahore District has further jurisdiction to register documents of the first class in whatever part of British India the property may be situate. But no registering officer has jurisdiction to register deeds relating to landed property in foreign states. It should be noted also that entries of transfers of immoveable property made in the registers of cantonments and municipal committees are no evidence of title, and cannot take the place of registration under the Act. Deeds of sale of immoveable property executed by municipal and district committees require to be registered when the value is Rs 100 or upwards.

124 Registrars should exercise the discretion referred to in the preceding rule with a due regard to the public convenience. Where the document is a will or authority to adopt, or where it relates to a transaction in which the sub registrar having jurisdiction is pecuniarily interested, or where it is written in English, and the sub registrar having jurisdiction is unacquainted with that language, the registrar should never refuse to accept it for registration except for very cogent reasons. Where a registrar decides that a document presented to him under section 30 ought to

registered in the office of a sub-registrar, he shall return it to the person presenting it without recording an order of refusal either on the document or in his Book No. 2. When the registrar of the Lahore District registers a document under section 30, clause (2) he must carefully observe the provisions laid down in section 67 of the Act.

125. If the registering officer finds he has no jurisdiction to register a document presented to him, he shall return it to the presenter without recording any order of refusal, and inform the presenter at what office he can obtain registration.

126. When the registering officer finds he has jurisdiction, he will examine the document to see that it has been presented within the time allowed by part IV of the Registration Act. Wills may be presented at any time; other documents executed in British India, should ordinarily be presented within four months from the date of execution; but the registrar of the district may, on urgent necessity or unavoidable accident being shown, direct documents presented more than four months after execution to be accepted for registration on payment of the fine prescribed in paragraph 196, provided the delay in presenting does not exceed four months. A sub-registrar has no authority to register a document (other than a will) executed in British India more than four months before date of presentation without a direction to that effect from his registrar, but an application for such direction may be lodged with the sub-registrar, and should be sent on at once for orders. Documents executed out of British India must be presented for registration within four months after their arrival in British India. If the period of limitation for presentation or for appearance to admit execution of a document prescribed by the act or extended by the registrar expires on a day on which the registration office is closed, the presentation or appearance shall be considered to have been made in due time if it is made on the first day of the opening of the office, *vide* section 10 of the general clauses Act X of 1897.

127. If the document be brought for registration within the time allowed by law, the registering officer will see whether it contains any unverified interlineations,

Examination as to
unverified interpo-
lations, etc.

blanks, erasures, or alterations of the kind mentioned in section 20 of the Act ; and, in the case of documents relating to immoveable property, whether the description of it is sufficient for identification. If he is not satisfied on either of these points, he may hand the document back to the presenter for remedy of the defect. Foreign documents should not be accepted unless accompanied by the translations and copies required by section 19, nor documents of the kind mentioned in section 21 (4) unless accompanied by the required copy or copies of the map or plan.

128. If the document be not open to any of the objections set forth in the last paragraph, the registering officer, before finally accepting it for registration, shall satisfy himself that the person presenting it has legal authority to do so. The persons who may present a document for registration are the following :—

Parties entitled to present for registration.

- (a)—In the case of a will, the testator, and, after his death, any person claiming under it as executor or otherwise
- (b)—In the case of an authority to adopt, the donor, and, after his death, the donee or the adopted son
- (c)—In the case of a copy of a decree or order any person claiming under the decree or order.
- (d)—In any other case, any person executing or claiming under the document.
- (e)—The representative or assign of any of the foregoing
- (f)—The agent of any of the foregoing.

129. If the document be presented by a representative* or assign, he must satisfy the registering officer of his status ; if by an agent, he must produce a power of attorney† authenticated in the manner prescribed in section 33 of the Act. But care must be taken to distinguish between deeds *executed by agents* in pursuance of power in that behalf conferred upon them by their

* It must be remembered that for the purposes of the Registration Act "representative" includes the guardian of a minor and the committee or other legal curator of a lunatic or idiot.

† Attention is invited to the N. R. to article 44, schedule I of the Stamp Act II of 1859 which says that the term "signature" as used in article 44 (a) includes every operation incidental to registration under the Indian Registration Act XII of 1858.

principals presented for execution in that behalf. It is the duty of the officer to satisfy himself of the power of an agent, being the actual executant of an instrument, to execute it, i.e., to deal with the property forming the subject matter of the deed. His duty is confined to the question whether the persons purporting to have executed the instrument have in fact done so or not. There are three possible cases—

- (1) Where the actual executant, or person claiming under the instrument, appears
- (2) Where a representative or an assign of such person appears.
- (3) Where an agent of either of the above persons appears.

In the first case, the officer has simply to ascertain whether the person so appearing does or does not admit execution, and his identity. In the second case the officer has further to satisfy himself as to the right of the representative or the assign to appear in that capacity and to admit execution. In the third case, the officer has simply to see whether the person appearing is an agent duly empowered as prescribed by section 33 to appear and bind his principal *viz.*, the executant, person claiming under the instrument, representative or assign—with an admission of execution.

130. It must be borne in mind that officers of Government, and the other officials mentioned in section 88, are not required to appear at registration offices in their official capacity either in person or by agent. Consequently, if any such officer be entitled to present a document for registration, he may transmit it to the proper registering officer by post.

PROCEDURE ON ACCEPTANCE.

131. When a document is accepted for registration each party shall be informed of the amount of fees he has to pay and as soon as such fees are paid, the receipt prescribed in section 52 shall be given to him. At the same time he shall be informed at about what hour the document will be returned to him, if it can be returned the same day,

Payment of fees
on acceptance.

and the hour in question shall be written on the receipt. If the document cannot be returned the same day, he shall be told on what date and at what time he should appear to claim it and the date and time aforesaid shall be endorsed on the receipt. But in offices where the system of return of documents by post is in force (paragraph 155), he shall be given the option of receiving back the document in that manner, the procedure necessary being clearly explained to him. If in payment of the fees any party pay more than the exact amount due, the excess shall be returned to him at once. The endorsement required by section 52 of the Act shall then be recorded and shall be signed by the registering officer and the proserter.

132 The registering officer shall then, with as little delay as may be, enquire whether the document was executed by the alleged executant, and satisfy himself as to the identity of the person appearing before him to admit execution. In cases of alienation he shall satisfy himself of the identity not only of the alienor but also of the alienee, if the latter is present. If the presenter be the executant, or his representative, assign or agent, or if such executant, representative, assign or agent be present, the registering officer shall make the necessary enquiry at once. He should also require the presenter, if an agent, to produce a power of attorney authenticated in the manner prescribed in section 33 of the Act and if a representative or assign, to produce evidence of his status.

133 When the registering officer is not personally acquainted with executants, he shall require them to produce persons to testify to their identity who are personally known to him or to some other person whom he personally knows or of whose identity and reliability he is otherwise fully satisfied. Stamp-vendors and petition writers should never be allowed to identify executants whose deeds they have written, and in any case as a rule the registering officer should not accept persons of this class as witnesses of identity nor should they have recourse to their own persons for this purpose. Preference should be given

where possible to witnesses living in the executant's neighbourhood and of his class of life.

134. Every deed shall be subjected to a thorough scrutiny with a view to ascertaining whether it correctly represents the intentions of the parties and the registering officer shall make sure that the person incurring liability knows the extent to which his rights are affected, as for instance in regard to his share in the *shamilat* or to the question of cultivating possession. Documents executed by persons who are unable to read shall be read out and if necessary explained to them, and the registering officer shall ascertain that they clearly understand their purport. Documents written in a language which the executants do not understand shall in like manner be interpreted and explained.

135. If execution by the alleged executant is admitted, and the registering officer is satisfied on the point of identity, he shall record on the instrument the endorsement required by section 58, and such endorsement shall be signed by the registering officer, the executant and all the witnesses examined; but no such endorsement is necessary on a copy of a decree or order or of a certificate sent under section 89.

136. Registering officers should have the thumb mark of any person who presents a document for registration taken under the endorsement prescribed in section 52 and that of any person who admits the execution of a document taken under the endorsement prescribed in section 58 (1) (a) of the Act. The left thumb should generally be used by the person making the impression, unless the registering officer thinks fit for any reason to have an impression of the right thumb taken. All impressions should be taken in the presence of the officer registering the deed affected after the parties have been duly identified, and he should note in the certificate prescribed under section 60 that this was done. When the registering officer, who has recorded the

section 58 endorsement on the original deed, has to leave the station before the deed can be copied in the appropriate book and the section 60 certificate recorded, he should record the following certificate after the section 58 endorsement :—

“Certified that the left (or right as the case may be) hand thumb impression of the executant has been affixed in my presence.”

The certificate should be dated and signed by the departing registering officer.

It will not then be necessary to record any note as to thumb impressions in section 60 certificate which will be signed by the succeeding registering officer. Instructions as to the method of taking impressions are placed in the boxes of appliances, one box being supplied to each registration office. The ink and other apparatus should be purchased by registrars and charged to registration contingencies in the usual way. They may be obtained from any source that may be convenient. Printer's ink should alone be used.

Registering officers may in their discretion relax this rule in the case of any person who is fully literate and of good standing and take such person's signature only.

137 As prescribed in section 58 the endorsement referred to in paragraph 135 should mention, amongst other particulars, “any payment of money or delivery of goods made in the presence of the registering officer in reference to the execution of the document, and any admission of receipt of consideration, in whole or in part, made in his presence in reference to such execution.” Parties executing documents admitting the receipt of valuable consideration should be asked by the registration officer whether they have received such consideration, and warned of the penal consequences of a false statement. And where registration officers suspect that there has been deliberate swindling, they should report the circumstances to the district officer, who will take measures, if necessary, to enforce the law.

138 If the alleged executant or his representative, assign or agent be not present and it be necessary to summon such person, or any other person, whose presence or testimony is necessary, the registering officer shall apply to the Deputy Commissioner of the district in which the person is residing, for the issue of the necessary summons under sections 36 and 37 of the Act. Provided that where the registering officer is a sub-registrar and the person to be summoned resides in a tahsil of the district in which the registration office is situate, the summons may be sent direct to the tahsildar of that tahsil for service. The appearance by the executant before the registering officer must be within the time prescribed in section 31.

139. When a document purports to have been executed by more than one person, the process described in the preceding paragraphs must be observed in the case of each, but it is not essential that all the alleged executants should appear before the registering officer simultaneously; the identification and admission of as many as are present should be at once recorded, and registration of the document be postponed until the appearance, subsequently, of the others. In such case a single fee will be charged, and not a separate fee for each executant or appearance.

140. Sub-: indirect. On such documents being presented to them for registration they should forward them to the registrar of the district, who will deal with them under the discretion allowed him by section 30 of the Act.

There is however no objection to a joint sub-registrar registering a document in which the sub-registrar of the same sub-district is personally interested and *vice versa*, and if a document in which either of these officers is personally interested is presented for registration to the officer so interested he should direct the person presenting it to present it to the other officer.

111. Registering officers should bear in mind that they are in no way concerned* with the validity of documents brought to them for registration, and that it would be wrong for them to refuse to register on any such grounds as the following, *e g*, that the executant was dealing with property not belonging to him, or that the instrument infringed the rights of third persons not parties to the transaction, or that the transaction was fraudulent or opposed to public policy. These and such like are matters for decision, if necessary, by competent courts of law, with which registering officers, as such, have nothing to do. If the document be presented in a proper manner by a competent person at the proper office within the time allowed by law, and if the registering officer be satisfied that the alleged executant is the person he represents himself to be, and if such person admit execution, the registering officer is bound to register the document without regard to its possible effects.

112. The legal meaning of 'execution of a document' is 'signing a document as a consenting party thereto' and the word 'signing' includes the affixing of a mark. Before signing a document a man is supposed to take every reasonable means of satisfying himself as to its terms and if he signs it without due care and attention—unless his signature was obtained by illegal compulsion or fraud—he must take the consequences, at least as far as the registration of the document is concerned. The registering officer has no option but to accept the document as it was actually signed and all he can do for the executor in such cases is to record a note of his refusal to endorse the document.

113. Orders refusing to register should be made only after due care and consideration, and if the impediment to registration be a mere informality or defect capable of remedy, opportunity should always be given to the parties to correct the flaw. In such cases registration shall be deferred, and no final order of refusal shall be made until the document concerned becomes time-barred.

* These are the only cases in which the registering officer is concerned with the validity of documents brought to him for registration. In all other cases the validity of the document is a matter for the court to decide.

144 If any person admit the execution of a document presented for registration, but deny the receipt in whole or part of the consideration recited therein, registration shall not be refused because of such denial, but a note of the denial shall be made in the endorsement required by section 55.

145. The fact that a document is not duly stamped under the Indian Stamp Act, 1899, is not of itself a sufficient reason for recording an order refusing to register it. The proper course is for the registering officer to impound the document and send it to the collector, as prescribed in that Act, and if the document be received back from the collector cured of the defect of stamp, within the time allowed by law for registration, and it be otherwise admissible, the registering officer shall register it. But if the executant of a document, who is in doubt about the proper stamp, consults a registering officer on the subject before formal presentation, the required information may be given to him without impounding the document.

146 When under section 35 of the Act, registration is admitted as to some of the parties to a document, but is refused as to the rest, the registering officer shall endorse thereon an order in this form :—“Registration refused as to A B and C. D” and shall record the reasons for this partial refusal in his Book 2 ; but in all other respects he shall proceed with the registration of the document in the ordinary manner

If a document of which registration was refused against some of the executant is subsequently registered against them under an order of the registrar or a decree of a civil court it is not necessary to recopy the deed in the registration book concerned, but the new endorsement and certificate recorded on the deed should be copied under the certificate previously copied in the book or if there is not sufficient blank space in the book for that purpose the new endorsement and certificate should be copied in column 1 of the book under the last deed copied therein on the date of the registration. In the latter case the number of page and volume of the book where the copy of the deed will be found should be noted in column 3 against the new endorsement and certificate.

117 If the person by whom the document purports to be executed deny its execution or if he appear to the registering officer to be a minor,* an idiot or a lunatic or if he be dead and his representative or assign denies its execution, the registering officer, if a sub registrar, is bound to record an order of refusal to register. A sub registrar on any such denial, has no authority to enquire into the fact of execution, but a registrar may do so either on appeal from the order of the sub registrar under section 73, or when the denial is made before him under section 74.

148. Refusal to admit execution of a document is a denial of execution within the meaning of the Act, as is a wilful refusal or neglect to attend and admit execution, and where such refusal or neglect occurs a suit will lie under section 77 for the purpose of having the document registered.

149 In cases in which registration is refused the registration fees received shall be refunded.

150 The words 'without payment' in section 71 of the Act must be taken as referring to copying fees and not to stamp and copies of reasons for refusal should be stamped, with court fee stamps according to article 9, schedule I, Act VII of 1870.

PROCEDURE ON ADMISSION TO REGISTRATION

151 When a document has been admitted to registration and the necessary endorsements have been recorded it should be made over to the registration mutasarrif to be copied into its appropriate book, and the registering officer should see that no unnecessary delay occurs, and that documents are always entered in the books in the order of their admission. In the first column of the register should be entered the value of the stamp (if any) and the number of stamps used, and if they be court fee stamps this should be noted. Thereafter will be copied the several endorsements made in the office (including the certificate of registration prescribed by section 69), the several signatures of the registering officer, presenter, executant

* An order of refusal to register may be made by a registrar or a sub-registrar. In the case of a sub-registrar, the order must be made in the presence of the registrar, and the registrar must sign the order. In the case of a registrar, the order may be made in the absence of the sub-registrar, but the sub-registrar must be notified of the order.

and witnesses examined, being all copied in their proper places. In the second column will be noted the serial number of the entry, a brief abstract of the contents of the document (e.g., "mortgage of agricultural land for Rs. 500, with possession"), and the amount of fees and fines levied. The third column will contain an exact copy of the document registered and should show all interlineations, blanks, erasures, and alterations which appear in the original. All such entries must be authenticated by the registering officer daily, in the manner prescribed in paragraph 109.

152. After the document has been copied the Certificate of registration certificate required by section 60 shall be endorsed on it. It shall be signed by the registering officer and sealed with the seal of his office. This certificate shall contain the serial number of the entry, and the book, volume and page, wherein the document has been registered, as well as date of registration, which, it may be noted, is the date on which the instrument is copied into the register, and not the date on which it was presented for registration. The endorsement shall then be copied into the register as required by section 61.

153. The registering officer shall retain the registered documents in his possession until the time Return of registered documents by hand. appointed for returning them comes round, and shall then cause each to be delivered in his own presence to the proper party, the receipt given for it under paragraph 100 being at the same time taken back. If the party to whom the receipt was granted represent that he has lost or mislaid it, the document may be returned to him on his written acknowledgment of its return. The document shall in no case, except as provided in the instructions regarding the return of documents by post, be returned to any one but the person who presented it for registration, or to his representative or agent, unless the person claiming to receive it produce the original receipt with a nomination in writing thereon as contemplated in section 61.

154. The registering officer should see that documents Documents to be promptly returned are promptly returned after registration to the presenters or other persons authorised to receive them; and the accumu-

lation in the registry office of registered documents should be avoided as much as possible. If the documents are at once copied in the registers, and fixed hour be appointed for their daily return, it will generally be found that people will attend at that hour to receive them; but if delay be allowed to take place in registration, and the time at which the documents will be available for return be uncertain, the parties will probably proceed to their homes, and will not, until summoned, call again for their instruments, which will accumulate in the registry office. When a month elapses after the registration of a document without the party calling to receive it back, he should be summoned through the post by the registering officer to come and receive it.

155. In all registration offices, however, where the convenience of the public is likely to be served thereby, the system of returning documents after registration through the post can be adopted, in accordance with the following instructions.

A.—Procedure of presenter.

Any person presenting a document for registration and wishing to have it returned through the post must conform to the following regulations:—

1. He must hand in the receipt for the document to the sub-registrar with the name and address of the person to whom the document is to be forwarded plainly endorsed thereon.

2. The receipt so endorsed must be accompanied by a large registration envelope on which the applicant has inscribed the address to which the document is to be sent. The address must be the same as that endorsed on the receipt for the document.

3. The envelope must also bear two-anna postage stamps, one to cover the postage and one in prepayment of the receipt of the addressee.

B.—Procedure of sub-registrar.

1. The sub-registrar on receiving a receipt for a document on which an address has been endorsed shall retain it, along with its accompanying envelope, in his

possession until the document has been copied and shall give to the presenter a slip stating that the document in question will be returned by post within such and such a time.

2. As soon as the document has been copied the sub-registrar shall enclose it in its proper envelope, and after signing the receipt for the document shall hand the receipt and the envelope over to the muharrir.

3. When the envelope has been posted the muharrir shall complete the entries on the back of the receipt for the document, adding thereto the number and date of the postal receipt and shall then paste the same on to its proper counterfoil. He shall also enter the despatch of the document in the despatch book mentioned in paragraph 102.

4. The postal receipt shall be pasted into a book provided for the purpose, and the addressee's acknowledgment, on arrival, shall be pasted on to the same page. Should the addressee's acknowledgment not be received within 15 days' time, enquiries about it should be made from the local post office.

Sub-registrars should apply to the registrar for a file-book to enable the fourth of the above instructions to be complied with and the local postmaster should be asked to keep a sufficient stock of large registration envelopes in hand for sale.

156. Registering officers shall maintain a vigilant Control to be maintained over muharrirs control over their muharrirs, and not place them in closer contact with the public than is unavoidable. The receiving of documents or of money, the recording of endorsements, and the returning of the documents shall not be left to the muharrirs to do at any time, or in the absence of the registering officer.

— ENDORSEMENTS

157. Endorsements Endorsements shall always be written by or in the presence of the registering officer and, except in the case of endorsements recorded under section 60, of the parties concerned. All endorsements on English documents should be written in English and on Urdu documents in Urdu except the endorsement recorded under

Section 62 (2) of the Registration Act, which should be written in Urdu. Departmental and honorary sub-registrars shall record the endorsements required by sections 52 and 58 with their own hands, unless they are unavoidably prevented from so doing, in which case the reason of the inability shall invariably be noted with the endorsements on any document thus registered. Suitable forms for endorsements are given in appendix IV and should be adhered to as far as the circumstances of each case will permit.

158. When there is not sufficient vacant space on the back of a document for the necessary endorsements they may be written or continued on a separate piece of paper attached to the document (vide definition of "endorsement" in section 2 (5) of the Act); but in such case both the document and its rider must bear the seal and signature of the registering officer.

158-A. When a document is both registered and authenticated (paragraph 87), the endorsement of authentication under section 33 should be recorded on it in addition to the ordinary Sections 52, 58 and 60 endorsements, but only the latter should be copied in Book 4, the particulars required by paragraph 86 being entered in Book 6. Certificate under Section 60 is not required on powers of attorney authenticated under Section 33, but a certificate of authentication showing the number of entry, page and volume of Book VI should be recorded on such powers in the form prescribed in paragraph (19) of appendix IV to the Registration Manual.

MEMORANDA OF DOCUMENTS

159. The memoranda of documents registered, required to be made under sections 64, 65, 66 and 67, shall be prepared upon printed forms, containing the following headings:-

(1) Date of execution

(2) Name and addition of executant

- (3) Name and addition of person in whose favour executed.
- (4) Nature and value of transaction.
- (5) Description of immoveable property concerned.
- (6) Particulars of registration.

The "addition" of the persons concerned to be entered in columns (2) and (3), is the "addition" as described in section 3 of the Act, and the word is to be so interpreted when similarly used throughout these rules. Column (4) should describe the transaction briefly, as "sale of agricultural land," or as the case may be. The description of the property in column (5) should contain, as nearly as possible, the particulars mentioned in section 21, and should always be sufficient for its identification; and only that portion of the property which is situated in the sub-district to which the memorandum is sent should be entered. Column (6) should show the date and office of registration, the registry number, and the book, volume and page where it has been registered.

160 When a registrar receives a copy, under section 65, 66 or 67 of an English document which requires that memoranda be forwarded to sub-registrars who do not understand English, the memoranda shall be prepared in Urdu.

Urdu memoranda to be sent to native officers.

161. When a sub-registrar registers a document relating to immoveable property, not wholly situate in his own sub-district, he shall note in his Book 1, opposite the entry, in the column provided for remarks, the date on which he sends memoranda or copies thereof, under section 64 or 65 (as the case may be), to the other registering officers concerned.

Sending of memoranda to be noted in Book 1.

Similarly, when a registrar registers documents relating to immoveable property, he shall note in his Book 1, opposite the entry, in the column provided for remarks, the date on which he sends memoranda or copies thereof, under section 66 or 67 (as the case may be), to the registering officers concerned.

Lastly when a registrar receives a copy of a document relating to immoveable property under section 65 or 66 or 67 (as the case may be), he shall when filing it in his supplementary Book 1 endorse on such copy the date on which he sends memoranda thereof to the sub registrars concerned

Registering officers should see that there is no unnecessary delay in sending memoranda or copies under this rule to the other registering officers concerned and should visit with severity any neglect or delay on the part of registration muharrirs in the matter

162 When sending copies of documents registered by them, under sections 65 66 and 67, to the registrars of districts in the United Provinces of Agra and Oudh, registering officers should transmit at the same time the requisite number of memoranda required for the sub registrars concerned

163 All registering officers shall cause their muharrirs to enter up a memorandum of every alienation of agricultural land registered before them including hypothecations without transfer of possession but excluding cases in which the mortgage money on an existing mortgage has been merely increased (zahi zar reh). The memorandum shall be written up immediately after the deed admitted to registration has been copied into Book 1. At the close of each month the memorandum attested by the registering officer shall be despatched to the tahsildar of the tahsil in which the land registered is situate. An invoice of the memoranda sent to each tahsil shall be prepared in duplicate at the end of every month one copy of the invoice shall be enclosed with the memoranda sent to each tahsil and the other copy shall be kept in the registration office. Any sub registrar before whom no alienations of agricultural land have been attested for registration during the month should send a blank invoice for the information of the tahsildar of the tahsil in which the sub registrar's office lies. Forms of the memoranda and invoice will be found in Appendix III

RE-REGISTRATION

161 Re registration of a document may take place under three circumstances. The first is where a deed is altered, after registration by consent of parties, to correct an error of description and in furtherance of their original intention. Such alteration, in effect, makes the document a new one, different from the one already registered, and if it be a document falling under section 17, re registration becomes obligatory. Another mode of correcting such a misdescription is to draw up a supplementary document reciting the error in the former one and the correction now intended to be made, and to register this document also. But such supplementary document would require to be treated in every respect the same as the original, and would be liable to the same fees. Moreover, it would require to be properly stamped, and unless section 4 of Act XI of 1819 operated to reduce the stamp duty, it would generally be found preferable to draw up an entirely new instrument and have it registered.

165 In the second place a document may require to be registered more than once where it purports to be executed by several persons, but at the time of first registration had in fact been executed by some only of those persons. If, after registration the other persons also execute, the document must be registered afresh, but in the latter case, limitation will run, under the proviso in section 23, not from the date of the document, but from the date of the last execution.

165-A In the third place it may be necessary to re register a document which was presented at the time of its first registration, by a person not duly empowered to present the same. In such a case any person claiming under the document may present it for registration as provided in section 33 (A) of the Act.

166 Whenever a document is re registered it will be treated in all respects as if it were an entirely new document, and must be re copied in its altered form in the proper register and the full fees levied. If there be not sufficient

room on the back of the document for the new set of endorsements required, owing to its being already occupied with the endorsements recorded at the first registration, they may be written or continued on a separate piece of paper, as provided for in paragraph 158.

SPECIAL REGISTRATION UNDER SECTION 89.

Effect of provisions of section 89. 167. The provisions of section 89 of the Act have the following effect: -

- (1) They render obligatory the registration of *all* documents of the classes mentioned therein without regard to value
- (2) The obligation to register is imposed upon the officer granting the loan, or the court or officer granting the certificate (as the case may be) and not upon the person to whom the loan or certificate has been granted, or person claiming thereunder.
- (3) A particular mode of registration is prescribed - the revenue officer is to send copy of his order, or of the instrument securing repayment of the loan, to the registering officer having jurisdiction; and in like manner, the court or officer is to send the registering officer a copy of his certificate, the registering officer will then file such copy in his supplementary Book 1 - and this is sufficient registration for all legal purposes

But although the law requires that documents of the kinds under notice shall be registered by revenue officers or courts, and not by the parties, there is nothing to prevent the holder of such a document, or any person claiming thereunder, from taking it, within four months from its date, to a registering officer having jurisdiction, for registration in the usual way, irrespective of any separate registration effected by the revenue officer or court (as the case may be); but every such second registration is entirely voluntary, and in all such cases the registration is to be treated as optional (fees being regulated accordingly), and classed as such in the periodical returns.

APPEALS TO THE REGISTRAR.

168. When application is made to a registrar to reverse the order of a sub-registrar refusing to admit a document to registration, the registrar should examine it to see, first, whether it was made within time (*i.e.*, 30 days after the date of the order), and, secondly, whether it was of the nature of an appeal under section 72 or of an application under section 73.

If the application be brought within time, and be of the nature of an appeal under section 72, the registrar shall pass such order thereon as seems to him proper under the circumstances. If it be made within time, and be of the nature of an application under section 73 (*i.e.*, an application to establish a right to have a document registered which the sub-registrar has refused to register on account of *denial of execution*), the registrar must make the enquiries prescribed in section 74, and pass an order accordingly. This is an obligation imposed upon him by law, which he is not at liberty to evade by referring the applicant to a civil court.

When the registrar, after enquiry, directs registration of the document, he should inform the sub-registrar concerned thereof. The order directing registration should be endorsed on the document, thus—“Registration ordered,” and the document should then be handed back to the applicant in view to his presenting it for registration at the proper office within the time allowed by law.

APPLICATIONS FOR COPIES.

169. (1) On an application for a copy of a registered document being received the muharrir should be called upon to see whether there was such a document registered on the date given in the application. If there was, the muharrir should at once ascertain the amount of copying fee realizable and report to the registering officer, who will collect the fee and credit it in his accounts that day.

(2) If the document is not found on the date specified, or if the particulars referred to in the first proviso to article II of the table of fees are not given in the application, the applicant should be called on to deposit a search fee* of eight annas, which should be credited at once, and to await the result of the search.

(3) When the document is discovered, the muharrir should at once report the amount of copying fee to the registering officer, who will call on the applicant to deposit this fee.

(4) If the copy cannot without fail be completed on the date on which the application is made, the registering officer on realising the fees should give applicant a specific date on which to attend and receive his copy.

* If the search through the index register extends beyond a year's entries the fee to be levied will be according to article II in appendix I

CHAPTER VI. PERIODICAL RETURNS.

MONTHLY.

170 Every sub-registrar shall submit to the registrar of his district the following ^{Monthly returns of sub-registrars} monthly returns, which should reach the registrar's office not later than the 2nd of the month following that to which they appertain:—

Return No I, an abstract statement showing the transactions of the month;

Return No II, a statement showing the income and expenditure of the month;

Return No. III, a detailed daily record of transactions;

Commission bill

Returns Nos. I, II and III shall be prepared in the vernacular on printed forms to be supplied from the office of the registrar; the commission bill may be in either English or the vernacular, according to whether the rendering officer is a European or native.

The orders in paragraphs 89, 98 and 102, prescribing the maintenance of only one set of registers, books and files where the sub-registrar and joint sub-registrar are located in the same building and use the same muharrir do not apply to the above returns which must be prepared separately for sub-registrars and joint sub-registrars

171 *Return No. I* will contain the headings given in form A, appendix II, and will exhibit in an abstract shape the business done during the month. The necessary particulars for columns 2 to 19 will be obtained by simply transferring thereto the monthly (red ink) totals of the fees book. Columns 8, 9, 10 and 14, which relate to the procedure of registrars only, will, of course, be left blank in the sub-registrar's return. In column 20 will be entered the number of copies and memoranda received during the

month under sections 64 to 67 and 83 of the Registration Act, and filed in supplementary Book 1, but it should not include the copies of plans and maps filed under section 21 (c) nor the translations and copies of documents in foreign languages filed under section 19. Column 21 will show the number of refusals to register (if any) made during the month. In column 22 will be entered the number of registered documents remaining undelivered at the close of the month, and sub registrars should always check this entry by comparison with the documents themselves. A note of any travelling allowance levied for visits paid or commissions issued during the month, under Article V of the table of fees should be made at the foot of the return. It is not necessary for sub registrars to retain office copies of this return.

172 *Return No II* will contain the leadings given in form B appendix II and will exhibit in juxtaposition the income and expenditure of the office for the month. The total in column 3 should correspond with that in column 19 of Return No I. Column 6 as subdivided will show pay and percentage drawn by the sub registrar in the establishment pay bill and commission bill respectively to be described here after, as well as the share of fees (if any) levied under article V of the table of fees and paid to the person by whom a commission is issued under section 33 or 35 as executed as provided in paragraph 19, and column 7 will show the pay of the office establishment. Column 9 for gratifications will be blank in the case of sub registrars who are remunerated by a percentage of the fees collected and in the case of officers paid by salary by a tahsildar or munsif. In the only entry in this column will be the actual advance for gratifications made in the month of April under paragraph 11. A copy of this return shall be retained for record in the sub registrar's office.

173 *Return No III* will contain the leadings given in form C, appendix II and will form a detailed record of the transactions of the office collected in and to each transaction. It must be submitted weekly.

on no account allowed to fall into arrear, the return so written up will remain as a record of the office and a copy of it will be sent at the end of the month, with the other returns, to the registrar of the district. This is a very important return, and great care must be taken in its preparation. By means of it the registrar is enabled to a great extent to exercise the superintendence and control vested in him by section 68 of the Act and to maintain uniformity and correctness of procedure throughout the district. Instructions for its preparation are therefore given below in some detail.

174 The transactions to be recorded in return No III are the following —

Transactions to be
recorded in return
No III

- (A) Registration of documents in Books 1, 3 and 4
- (B) Filing copies and memoranda received from other offices under sections 64 to 67 and 89 of the Act, in supplementary Book 1
- (C) Refusal to register, recorded in Book 2
- (D) Authentication of powers of attorney under section 33, recorded in Book 6
- (E) Searches and grants of copies under section 57

Particulars enter-
ed in return No III
when a document is
registered

175 (A) When a document is registered, the following particulars will be entered in return No III —

Col 1 — Number of book in which registered
(i.e., 1, 3 or 4 as the case may be)

• Col 2 — Date on which the document was executed

Col 3 — Date on which it was presented for registration

Col. 4.—Date on which it was registered—and here it must be borne in mind that the date of registration is not necessarily the same as the date of presentation; the date to be entered in this column is the date given to the certificate of registration *vide* section 60 of the Act which should be the date on which the document is copied into the register.

Col. 5.—Date on which the document was returned after registration—and note that when the document is not returned in the same month in which it is registered, this column must remain blank in the copy of the return which is sent to the registrar, but when the document is at length returned, the date of return should be entered in its proper place in the office copy, and a note of such return, showing book, serial number, and date of return, should be entered on the back of the registrar's copy of the current month's return.

Col. 6—Serial number of the register

Col. 7.—Nature of document this should be a transcript of the entry in column 2 of the register, and should briefly describe the document, *ea* "conveyance of a house," "mortgage of agricultural land with possession," "will," "bond," &c. &c. in cases of sale or mortgage of land, it should be stated whether the land is agricultural or non-agricultural, and if the instrument deals with property of both kinds, it should be classified as "agricultural," and in the abstract (to be hereafter described) both the value of the agricultural property and the value of the non-agricultural property should be shown separately from that of the total value of the property, when this value can be so ascertained;

in cases of mortgage, it should be stated whether it was with or without possession, powers of attorney should always be described sufficiently to admit of the scrutinizing officer seeing that the instrument was properly stamped, a document should never be described in this column simply as an "agreement," a description too vague to be of any use, but the nature of the agreement should be briefly stated

Col 8—Amount of consideration set forth in document

Col 9—Stamp (if any) on document—not only should the value be shown, but in cases where more than one stamp has been used, the number of such stamps, and where the stamp is a judicial (court fee) one, as for instance, on a power of attorney for the conduct of a case in court, this fact should also be noted, if a document, ordinarily requiring a stamp, is admitted on plain paper, the reason for its exemption from stamp duty should be stated

Col 10—Registration fee levied under article I of the table of fees

Col 11—Fee for filing a translation (where the document is in a foreign language) levied under article VI

Col 12.—Fines levied for delay in registering, under the registrar's authority

Col 13—Fees levied under article V (if any) for domiciliary visits or commissions issued

Col 15.—Total fees and fines levied (other than copying fees)

Col 16.—Copying fees levied under article III

176 (B) —When a copy or memorandum, received from another office under sections 64 to 67 and 89 of the Act is filed in sup.

When a copy or memorandum is filed

plementary Book 1, the following particulars will be entered in return No III:—

Col 1.—Number of book (*i.e.*, supplementary Book 1)

Col 2.—Date of execution of document of which a copy or memorandum has been filed

Col 3.—Date of receipt of copy or memorandum.

Col 4.—Date of filing in supplementary Book 1

Col 6.—Serial number.

Col 7.—Nature of document

Col 8.—Amount of consideration

177 (C) When the sub-registrar refuses to register a document, and records his reasons in Book 2, the following particulars will be entered in return No. III:—

Col 1.—Number of Book (*i.e.*, 2).

Col 2.—Date of execution of document.

Col. 3.—Date of presentation

Col. 4.—Date of refusal

Col 5.—Date of return of document.

Col 6.—Serial number

Col 7.—Nature of document

Col 8.—Amount of consideration

Col 17.—Reasons (briefly stated) for refusing to register

178 (D) When a power of attorney is authenticated by a sub-registrar under section 33 (1) (a) of the Act, the following particulars will be entered in return No III —

Col 1.—Number of book (*i.e.*, C)

Col 3.—Date of application for authentication

Col 4.—Date of authentication

Col 5.—Date of return

Col. 6.—Serial number.

Col. 7.—Description of power (i.e., general or special).

Col. 9.—Value and other particulars of stamp.

Cols. 10 and 15.—Fee levied under Article VIII *

179. (E) In cases of searches and grant of copies under section 57, the following particulars will be entered in return No. III :—

Col. 1.—Number of book searched, or from which copy is granted.

Col. 2.—Date of execution of document of which copy is granted.

Col. 3.—Date of application for search or copy.

Col. 4.—Date of search.

Col. 5.—Date of grant of copy.

Col. 6.—Serial registry number of entry of which copy is granted.

Col. 7.—Nature of entry of which copy is granted.

Col. 9.—Stamp on copy granted

Cols. 14 and 15.—Fees for searching levied under Article II.

Col. 16.—Copying fees levied.

180 Return No. III will be accompanied by a ^{Abstract of return} ^{No III} monthly abstract prepared according to form ^{of which care must be} ^{case of registrations in B} ^{and} ^{of sales and} ^{mort} ^{other immove-} ^{able} ^{given in this} ^{abstract not only correspond with the details of return} ^{No. III, but with the statistics given in return No. I.} ^{The figures for the column headed "value of transactions"} ^{should be worked out with care.}

*NOTE.—No fee, beyond that prescribed in Article VIII, should be levied for authenticating a power of attorney under section 33 (1) (a), no copying fee should be levied under Article III.

181. The most common reference is made to the

Monthly returns to
be prepared according
to month of account

for January must be closed on the 27th of that month, the accounts for February on the 25th, those for March on the 31st, and those for the remaining months of the year on the 27th day of the month; hence the returns for February will comprise the transactions occurring between the 25th January and 25th February (both days inclusive), those for March will include the transactions from 26th February to 31st March, those for April from 1st to 27th of that month, those for May from 28th April to 27th May, and so on. By this expedient the total collections of registration and other fees shown in the monthly return should correspond with the cash credits under this head in the monthly treasury accounts.

182. In addition to these returns, each sub-registrar will submit to the registrar of his district a monthly *commission bill*, i.e., a bill for the amount payable to the registering officer according to the prescribed rates given in paragraphs 15 to 17. The form of this bill will vary and the mode of calculating but the example given in will be found sufficient *mutatis* b-registrars need not keep office copies of these bills.

183. When the registrar of the district receives the monthly returns of his sub-registrars above described, he will, with the aid of his mubarrir, carefully examine them to see that they have been correctly prepared, that the figures in the several returns are not discordant, that the amount returned as income from fees, &c., corresponds with the treasury credits, and that the proper amount has been drawn in the commission bill. He will especially scrutinize return No. III, and issue to the sub-registrars concerned such orders in regard to faulty procedure or otherwise as this scrutiny may suggest, noting the purport of such orders, and any other remarks that occur to him either in column 18 of the statement opposite the entry concerned, or on the back, or on a separate piece of paper attached.

Col. 5. — Serial number of entry.

Col. 7.—Nature of document (i.e., opened will).

Cols. 10 and 15 —Fees levied under article VII.

(E) When an opened will is copied into Book 3, the following particulars will be entered:—

Col. 1.—Number of Book (i.e., 3).

Col. 2.—Date of will.

Col. 4.—Date of copying into Book 3.

Col. 6.—Serial number of entry in Book 3.

Col. 7.—Nature of document (i.e., opened will).

Col. 16 — Copying fee.

(F) When copy of an opened will is granted on application, the particulars given in paragraph 179 will be entered.

The return thus prepared will remain ^{as} an office record.

184-A. The *commission bill* of the district which District commission will be presented for payment at the bill. treasury will be prepared in form F. In this bill the amounts charged in the commission bills of sub-registrars will be collected, the name of each officer for whom commission is drawn being shown separately with the amount drawn for him. Service fund deductions, if any, should be entered in the column provided for this purpose; the total entered at the foot of the bill should be the net amount after making these deductions. No copy of this bill need be retained for record in the registrar's office.

185. Every registrar should submit in English to the office of Inspector-General of registration a monthly statement of receipts under "X-- Registration." Monthly returns of registrars This statement should be submitted not later than the 8th of the month following that to which it relates.

186. It should be borne in mind that in paragraph 2 of Punjab Government, Financial Statement of receipts. Department, Resolution No. 299, dated the 5th February 1876, the duty of the collectin

officer is declared to be "to see that all income claimable is duly claimed, and that all realizations are duly credited," and that of the controlling authority "to check and supervise the proceedings of officers primarily responsible, and to see that the amounts reported as collected have been duly credited in the accounts." Registrars can best perform the duty thus imposed on them as "collecting officers," by examining the monthly return No. III submitted by sub-registrars, to see that the full amount of fees, &c., has been levied on each transaction, and by comparing the total of such fees, etc., with the treasury accounts. The stamp duty leviable on all such transactions should also engage the registrar's attention.

The statement of receipts has been prescribed for the purpose of enabling the Inspector-General to perform, in part, the duty of "controlling authority" over registration income imposed on him by the resolution. It enables him to watch the incomings, and to contrast them not only with those of the corresponding periods of the previous year, but with budget anticipations.

187. *Is cancelled.*

188. The registrar should particularly see that the total income of the district for the month under report, as entered in his statement of receipts corresponds with the total registration income credited in the treasury accounts. If all the registry offices of the district

District returns to accord with each other, and with treasury accounts, and causes of fluctuations of business to be acted.

be situate at places where there is a Government treasury, and the daily collections of fees &c., are paid into it according to the standing orders of Government, there cannot be any discrepancy when the accounts have been correctly prepared. But in cases where a registration office is at a distance from the sadar or a tahsil, and the collections of the month are transmitted to the nearest treasury by the registering officer in the lump, it may sometimes happen that they are not received in time for inclusion in the accounts of the current month: this should never happen in the month of March, and with proper care should very rarely occur at other times, but in the event of its happening, to prevent a disagreement between the accounts of the registration depart-

ment and the treasury, the entire statistics of the office in question should be omitted from the current month's accounts, an explanatory note being made in the column for remarks; the following month's return will therefore contain the statistics of two months for the office in question, but each should be shown separately, thus:—

Sub-registrar, Nadaun	...	December 1909.
Ditto ditto	...	January 1910.

QUARTERLY.

189. *Cancelled.*

190. *Cancelled.*

ANNUAL.

191. Four *statistical statements* have been prescribed by the Government of India for submission by the Inspector-General with his annual notes and triennial reports on the administration of the department and their forms will be found in appendix II. They are to be prepared according to the calendar year and will be compiled from returns furnished by registrars. Blank printed forms of each of the statements in English and in Urdu will be supplied from the Inspector-General's office before the close of the calendar year to each registrar, who will retain two English forms for his own office, and distribute the Urdu forms to all the sub-registrars in his district, two forms being given to each sub-registrar. As soon as possible after the close of the year, each sub-registrar will collect the necessary figures and fill up the several columns of the blank statements. One set of the statements will be sent to the registrar of the district, so as to reach him not later than the 20th January, and the other set retained as records of the sub-registrar's office.

Each registrar will, in like manner, fill into the English forms the statistics of his own office, and thereafter transcribe into them, in proper order, the figures furnished by sub-registrars, and make a total for the whole district; all these figures are to be written with black ink. For purposes of comparison the corresponding figures of totals for the previous year will be added in red ink at the foot of the statements. Every third year when the statements are to accompany the triennial

report described in the following paragraph, the corresponding figures of totals of each of the preceding two years will be given at foot of the statements. Registrars should be careful to check these annual returns by the monthly ones, to see that the figures in the former exactly coincide with the aggregate of those of the latter, also that the red ink figures exactly correspond with the statistics given in the previous year, or years, as the case may be, and all discrepancies should be fully explained. Inattention to these matters will only lead to unnecessary delay, trouble and correspondence. One set of the English forms will remain as records of the registrar's office, the other set should be despatched so as to reach the office of the Inspector-General not later than the 10th of February.

192 The annual statements which registrars are required to submit should be accompanied by a report prepared for the calendar year, reviewing in a clear, concise and narrative form the operations of the triennium, commenting on or explaining any noticeable details in each statement in turn, and containing such further remarks as the statistics or the registrar's inspections during the triennium may suggest. To facilitate the preparation of the report registrars will along with the annual circular of instructions issued by the Inspector-General, be furnished with printed subject sheets indicating the special heads under which the registrar's remarks and criticisms are more particularly invited.

Under the orders of the Government of India the length of the provincial triennial report is limited to eight pages, and it will therefore be necessary for registrars to keep their reports within proportionately circumscribed limits, the insertion of statements of figures in the body of the report being, as far as possible, eschewed.

For the years intervening between the triennial reports only a brief note, prepared according to the calendar year, should accompany the annual statements. These notes should be prepared in narrative form, each statement being taken in turn, and any remarkable variations exhibited by the figures in them being noticed. Thus done, any noteworthy features of the year's administration should be added in a final paragraph.

CHAPTER VII

MISCELLANEOUS

LANGUAGE

193 With reference to section 19 of the Act, it is
 declared that the languages deemed to be
 commonly in use in the Punjab and its
 Dependencies are English and Urdu, but documents

also by a true copy, provided that documents written in English need not be accompanied by translations or copies when presented at the office of a registrar, or of a sub-registrar when he and his muharrir know English or when the registering officer is a European officer

194 In all English endorsements and entries, proper oriental names of places shall be spelled according to the "modified Jonesian system" prescribed in Punjab Government Circular No. 61, dated 31st October 1873, published in the *Punjab Government Gazette* of 9th idem. Provided that where the spelling of any place has been authoritatively fixed by Government, that authorized spelling shall be followed. The same rule applies to the spelling of proper names of persons subject to the qualifications laid down in Punjab Government Circular No. 3, dated 18th June 1906, where it is stated that the main principle to be observed in such transliterations is that each name should be spelt as commonly written and pronounced by an educated native and detailed instructions as to the method to be followed are given

TERRITORIAL DIVISIONS

195 The territorial divisions to be recognised under section 21 are usually the 'district' and the 'tahsil' as existing for revenue purposes. But in some cases a cantonment or a portion of a tahsil may constitute a division. A list

of the divisions as they stood on the 31st May 1919 will be found in appendix V. The name of the division shall be entered in all documents relating to houses (other than those situate in towns) and lands, in addition to the name of the village and the boundaries of the property.

FINES.

196. Fines for delay in presenting documents for registration shall be levied, under section 24, according to the following scale. No registration fees shall be levied in addition to these fines :—

Where the delay has not been more than one month	An amount equal to twice proper registration fee
Where the delay has been more than one month, but not more than two	An amount equal to three times the proper registration fee
Where the delay has been more than two months, but not more than three	An amount equal to six times the proper registration fee
Where the delay has been more than three months	An amount equal to ten times the proper registration fee

Additional fines for delay in appearance shall be levied, under the proviso in section 34, according to the same scale.

Provided that when the delay in presentation, or when the delay in appearance, has been occasioned by the necessity of obtaining any order of a Deputy Commissioner under sections 3, 9 or 15 of Act XIII of 1900 (The Punjab Alienation of Land Act), and has not been due to any default on the part of persons desiring registration, the fine levied under section 24, or the additional fine levied under section 34, shall be an amount only nominally in excess of the proper registration fee

When a document has been executed by more than one person and they appear before the registering officer on different dates the amount of fine recovered under section 34 shall be according to the delay in the appearance of the executant who appears last and only one fine shall be recovered in such a case. (See paragraph 139 ante).

197. The following instructions explain when a fine should be levied under section 34 of the Registration Act :—

When a fine should be levied for delay in appearance.

When a document has been presented under section 23—i.e., within four months from execution—the

presenter must take action under section 36 to secure the presence of the executant before the lapse of the full period of four months. At the end of the four months the case should be reported to the registrar who can under section 34 allow the deed to be registered up to a date not more than eight months from the date of execution subject to the payment of a fine. If the executant appears within eight months the deed can be registered, but otherwise not. If, however, a document has been presented under section 25, that is, if the registrar has on payment of a fine permitted of its presentation up to eight months, then the executant must appear within eight months, or the presenter must, within the period of eight months take action under section 36 to secure his appearance. On the expiration of the eight months from the date of execution the sub-registrar must report the case to the registrar who can order under section 34 that on payment of a fine the deed may be registered up to twelve months from the date of execution.

The period on which the amount of the fine under section 34 will be calculated will, in the former case, be from the beginning of the fifth month and in the latter case from the beginning of the ninth month up to the date of the appearance of the executant.

198 Applications to the Inspector-General for remission in whole or in part, under section 70, of any fine levied in accordance with the foregoing rules, shall be in writing, and shall be forwarded by the registrar of the district, who shall record his opinion thereon. No such application shall be received or forwarded unless the document has been registered and the fine or fines paid.

198 A The Local Government has delegated to registrars power to sanction refunds of registration and copying fees on account of excess collections and refunds rendered necessary by an order which registrars are themselves competent to pass. Such refunds no longer require the countersignature of the Inspector-General of Registration.

PROSECUTIONS.

199. Full reports of all prosecutions instituted under Part XIV of the Indian Registration Act shall be made to the Inspector-General as soon as possible after decision, and shall be accompanied by a copy of the judgment of the court.

OATHS.

200. The discretion vested in registering officers by section 63 should be used with reserve, and oaths administered only in exceptional cases. For the purposes of this section an oath includes an affirmation under section 6 of Act X of 1873.

201. Statements made on oath under section 63 shall not be recorded on the document to which they relate, but on separate sheets of paper, which shall be filed in the office. A note, however, to the effect that recorded evidence has been taken, shall in such case be endorsed on the document, and entered in the book in which it is registered, in the column provided for copies of endorsements.

HOLIDAYS.

202. The holidays to be observed in registration offices shall be those authorized by the High Court for the civil courts of the province; but it shall be optional with registering officers to keep their offices open during all or any of them, as they may think fit.

203. Every registrar and sub-registrar is provided with a seal, as required by section 15 bearing an inscription in English and Urdu of the authorized designation of his office. This seal shall always remain in the personal custody of the registering officer, and shall be used for the authentication of the following:—

- 1) All powers of attorney attested under section 33, clause (1).
- (2) All commissions issued under sections 33 and 38.

- (3) All applications for the issue of summonses to witnesses under section 36
- (4) All copies of entries in register books and indexes granted under section 57.
- (5) All certificates of registration made under section 60.
- (6) All copies of reasons for refusal to register granted under sections 71 or 76.
- (7) All orders issued by registrars under sections 72 or 75, directing documents to be registered.
- (8) All summonses issued by registrars under section 75.

204. When a seal which has become unfit for use ^{Supply and renewal of seals} is replaced by a new one, the former shall be forwarded to the office of the Inspector-General of Registration for destruction. The seals of offices permanently closed shall be dealt with in the same manner; those of offices temporarily closed shall remain in the personal custody of the registrar of the district. All new seals, whether for newly created offices, or to replace others which have become unfit for use, shall be supplied from the office of the Inspector-General.

STOCK BOOKS.

205. Consolidated Circular No. 29 prescribes for ^{Stock book of stores} each registration office the maintenance of (a) a stock book of stores (paragraph 22) and (b) a stock register of office furniture (paragraph 26). This latter register is dealt with in paragraph 206 below. The only stores of the description (a) which are to be found in a registration office are the iron safe for wills and duplicate keys of locks of strong boxes kept by the registrar and European locks to be found in the various registration offices.

In the circumstances all that is required to comply with paragraph 22 of Consolidated Circular No. 29 is that each registration office should keep a list of whatever of the articles,—iron safe, European locks and their duplicate keys—are held by the officer-in-charge.

This list in the registrar's office will be kept in the iron safe.

About April each year there shall be an annual verification of the stock in hand with that entered in the list, and the result shall be noted on the list by the registering officer.

206 The stock book of office furniture shall be in form 7 given in appendix III. Having once been written up with reference to the stock in hand, it should be written up again concurrently with each purchase or strike off. About April each year there shall be an annual stock-taking and the result of the verification of the stock in hand with that borne out by this record and the condition of the articles in stock shall be duly noted in the column provided for the purpose. To facilitate identification each article should be marked with a label.

206-A. In May every year the result of the annual stock taking of stores and office furniture shall be reported to the Inspector-General of Registration.

OFFICIAL CORRESPONDENCE.

207. Sub-registrars should correspond with the Inspector-General, save, in emergent and exceptional cases, only through their respective registrars.

208. Official correspondence between registrars and sub-registrars should ordinarily be in the form of a vernacular proceeding; but where the sub-registrar is a European officer, or officer in charge of the treasury, there is no objection to the correspondence being conducted by English letter or memorandum

209. When a registrar receives a communication from a sub-registrar which requires a reference to the Inspector-General, he should, in ordinary cases, transmit it in original, accompanied by such remarks in English as he thinks necessary, and the reply will be communicated in the same way. But where a point of law, or of procedure not already provided for is raised, or where the question is one of general appli-

cation, the registrar should refer it for orders by means of an English letter or memorandum which should fully state the case and the registrar's opinion thereon

210 Registrars should as far as possible themselves dispose of references from sub-registrars and should not transmit them to the Inspector General unless his orders are really required. This caution is necessary because a great proportion of the references that reach the Inspector General's office are on points which have already been distinctly provided for and should have been disposed of in the registrar's office. At the same time as it is very desirable that uniformity of practice should be maintained throughout the province, all instructions of general applicability or involving general principles issued by registrars to sub-registrars should be communicated to the Inspector General without delay.

211 Some registering officers, and especially some muharrirs, are prone to raise speculative questions on points of law or procedure in imaginary cases. This practice should be discouraged, no such question should be permitted, unless it has actually arisen in practice, and a decision on the point is necessary.

212 The official correspondence between registrars and the Inspector General shall be in English and in the conduct of such correspondence registrars will be guided by the general rules prescribed in Punjab Government Circular No 54, dated 26th July 1972.

213 Registrars should see that no unnecessary delay takes place either in their own offices or in the offices of their sub-registrars in replying to references from the Inspector General. Ordinarily, a sub-registrar should not defer replying to a requisition either from the Inspector General or from his registrar for more than two days. A reply to a reference from the central office should, save in exceptional circumstances, always be returned within 15 days.

INSPECTIONS OF OFFICES.

214 By section 68 of the Registration Act, the registrar of the district is invested with superintendence and control over sub-registrars; and to enable him to exercise such supervision and control in an efficient manner, it is essential that he should visit the several sub-offices and examine the registers and other records therein as often as possible. Every sub-registrar should be inspected by the registrar *at least* once a year, including the office at head-quarters, which is usually the largest and most important in the district, but which is in some districts the least looked after by the registrar, although from its position it can be examined at any time most convenient to him, and with the least trouble. If, from any cause, the registrar is unable himself to inspect any sub-office during the year, he should depute an experienced assistant or extra assistant commissioner on the duty, but the sending out of muharrirs on this duty is absolutely forbidden; it is distasteful to the registering officers concerned, and offers a temptation to extortion which should be avoided.

The number of inspections made of the offices of departmental and honorary sub-registrars should always be noticed in the annual reports, and any registrar who may have been unable during any particular year to inspect, at least once, the offices of the registering officers who are subordinate to him should explain his reasons for the omission.

215. When a registrar has completed his inspection of an office, he should send a report thereof to the Inspector-General, giving the following particulars:—

I.—Office inspected, with names of registering officer and muharrir.

II.—Dates of present and last inspection; the object being to show how long the office remained without inspection, and the period over which the report extends.

III.—Statistics of the business done during that period.

IV.—Remarks (if any) on the registers.

V.—Remarks on the indexes and subsidiary books

VI—General remarks

This report may be written either in English or in the vernacular, as the reporting officer finds most convenient. The form adopted by the Inspector-General for recording the results of his inspections is given in appendix II, form H, and registrars are recommended to adopt that form, a supply of which can be obtained, on application, from the *Civil & Military Gazette Press*, Lahore. A note of the result of the inspection should also be recorded in the registration office minute book.

216 Inspecting officers should of course note in their reports all errors of procedure or otherwise which their inspection may bring to light, both for the Inspector-General's information and for avoidance in future by the registering officer, they should also note any other point which appears noteworthy, *eg*, abnormal increase or decrease of business with the causes thereof, the general goodness or badness of the work of the office, the qualifications of the muharrir, and such like, and they should check the stock registers maintained under paragraphs 205 and 206. But so long as perspicuity is not sacrificed, the inspection reports cannot be too brief. For example, if the examination of the registers discloses no errors or faults nor any other matter calling for special remark, it will suffice to write the single word "nil" under the heading of "remarks on the registers." A set of questions to be used as guides in such inspections will be found in appendix VIII. They must not be taken as exhaustive.

217 When the examination of a book has been completed, the inspecting officer should write the word "examined" after the last entry in it, together with his signature and the date. When the inspection has been conducted by the registrar in person, he will issue such orders as he deems necessary at once to the registering officer concerned, briefly noting the purport of such orders in his report under the heading of "general remarks." When the inspection has been conducted by an assistant or extra assistant commissioner, the latter officer will prepare the report in the manner above prescribed and send

Is use of necessary
orders to register g
officer concerned at end
of inspection

to the registrar, who will issue necessary orders thereon, as before, to the registering officer concerned, note the purport of such orders on the inspecting officer's report, and transmit the latter for the Inspector-General's information

218 Applications mentioned in the following list should be stamped with the stamp, if any, shown opposite each —

List showing the stamp duty, if any, chargeable on certain applications which are frequently presented before registering officers

Submitted to registrar or sub registrar	Nature of application or appeal	Exempt or amount of court fee stamp to be affixed
		Rs A P
Both	Application for inspection or search.	<i>Nil</i>
Do	Application for copies	0 1 0
Do	Application for attendance at a private residence	<i>Nil</i>
Do.	Applications under section 36 of Registration Act	<i>Nil</i>
Registrar	Applications under section 73 of Registration Act	<i>Nil</i>
	Appeal under section 7' of Registration Act	0 8 0
Both	Applications for return of documents filed	<i>Nil</i>
Do	Applications objecting to registration of documents	<i>Nil</i>
Do	Applications agreeing to registration of documents	<i>Nil</i>
Do	Other miscellaneous applications	<i>Nil</i>

APPENDIX I.

TABLE OF REGISTRATION FEES *

(SECTIONS 78 AND 79 OF REGISTRATION ACT)

ARTICLE I — For the registration of documents —

(1) In Book 1, register of non-testamentary documents relating to immoveable property—

When registration is optional under section 18	Rs A P
	0 8 0

When registration is obligatory under section 17 —

(a) For all documents, other than leases of immoveable property, if the value or consideration money does not exceed Rs 200	1 0 0
---	-------

Exceeds Rs 200 but does not exceed Rs. 400	2 0 0
" " 400 " " " 600	3 0 0
" " 600 " " " 1,000	4 0 0
" " 1,000 " " " 1,500	5 0 0
" " 1,500 " " " 2,000	6 0 0
" " 2,000 " " " 2,500	7 0 0
" " 2,500 " " " 3,000	8 0 0
" " 3,000 " " " 4,000	9 0 0
" " 4,000 " " " 5,000	10 0 0
" " 5,000 " " " 7,500	12 0 0
" " 7,500 " " " 10,000	14 0 0
" " 10,000 " " " 15,000	16 0 0
" " 15,000 " " " 20,000	18 0 0

For every Rs 5,000, or part thereof, in excess of Rs 20,000 up to and not exceeding Rs. 50,000	1 0 0
--	-------

For every Rs 5,000, or part thereof, in excess of Rs 50,000 up to and not exceeding Rs 1,00,000	... 0 8 0
---	-----------

For every Rs 5,000 or part thereof, in excess of Rs 1,00,000	... 0 4 0
--	-----------

If the value or consideration be only partly expressed	† 2 0 0
--	---------

(b) For leases of immoveable property half the value of the stamp duty payable on the lease, or, if the lease is exempted from stamp duty, a fee of	... 0 8 0
---	-----------

(c) If the value or consideration be not expressed at all, a fixed fee of	. 5 0 0
---	---------

(NOTE.—The registration fee to be paid on partition deeds should be calculated on the value of the share or shares on which stamp duty has been assessed under article 45 in schedule to the Stamp Act)

(2) In Book 3, register of wills and authorities to adopt	Rs A P
	4 0 0
(3) In Book 4, "Miscellaneous Register"	... 1 0 0

Under section 80 of the Registration Act all fees for the registration of documents shall be payable on the presentation of such documents,

* As published in Punjab Government notice No. 57 dated the 31st October 1907

† In addition to an ad valorem fee as above on the value or consideration expressed

provided that no fee shall be levied for the registration of security bonds furnished by court inspectors and assistant court inspectors, under the provisions of paragraph 461, chapter XIII, of the Punjab Police Rules Volume I.

"Provided also that under the notification of the Government of India Home Department, No 376, dated 24th April 1914, the following fees payable under the law of registration for the time being in force, namely:

(a) All fees payable by or on behalf of any Co-operative Society the time being registered under the Co-operative Societies Act, 1912 (II of 1912), and

(b) All fees payable in respect of any instrument executed by an officer or member of such a society and relating to the business thereof,

are remitted.

NOTE I.—No registration fee shall be leviable upon a mortgage-deed executed by an officer of Government in Civil or Military employ for securing the repayment of an advance received from the Government for the purpose of constructing or purchasing a dwelling house for his own use.

ARTICLE II.—For inspections or searches by the public and searches by the registering officer under section 57—

	Rs.	A.	P.
For each register book or index No. inspected ..	0	8	0
For searching the index register of a particular year ..	0	8	0
For searching the index register of any year after the first	0	4	0
Subject to a maximum of	5	0	0

Provided that no search fees shall be charged in respect of a document which a copy is applied for when the names of the claiming and executing parties, the nature of the document and the date of registration are shown on the application for the copy.

Provided, further, that no fee shall be charged for searches made in answer to calls by civil courts to ascertain whether attached properties are encumbered.

ARTICLE III.—For making or granting copies of reasons, of entries, of documents, before, on or after registration:—

	Rs.	A.	P.
Where the number of words does not exceed 400 ...	0	8	0
For every 100 words, or part thereof, in excess of 400 ...	0	2	0

NOTE (a).—When registration is refused, neither registration nor copying fee is to be levied.

NOTE (b).—If a copy is requested before registration of a document which, in case of refusal, the registering officer is satisfied that the applicant is not entitled to execute or claim, no fee shall be levied.

NOTE (c).—When application for a copy under section 57 necessitates a search, the fee prescribed by article II is to be levied in addition to the chargeable under article III.

NOTE (d).—Government officers who may require to search the registers or take copies of entries in the registers for bona fide public purposes will be exempted from payment of the fee under articles II and III, on a certificate being granted by the registrar of the district that the information is required solely in the interests of Government.

NOTE (e).—The fees for copying maps and plans of estates or houses, &c., such as are filed in supplementary Book 1, shall be determined by the head of the office.

NOTE (f).—No additional charges should be levied in respect of the copying into the registration books of endorsements made in accordance with sections 52, 53 or 60 of the Act.

EXTRA OR ADDITIONAL FEES

ARTICLE IV —For discretionary registration under section 30—

	Rs	A	P.
(1) By the registrar of the district under clause (1)	4	0	0
(2) By the registrar of the Lahore District under clause (2)	10	0	0

NOTE—The additional fee under this article is not payable on the registration of wills and authorities to adopt

Nor is to be levied in cases where the sub registrar, owing to his being pecuniarily interested in the transaction, or to his being unacquainted with the language in which the deed is written or for any other sufficient reason, is unable to register himself

ARTICLE V —For the issue of commissions and for attending at private residence —

	Rs	A	P
(1) When a satisfactory certificate is produced as to sickness or infirmity, or when the person to be examined is in jail	5	0	0
(2) In all other cases	10	0	0

NOTE—In addition to the above fee travelling allowance at the following rates is to be levied for the actual distance travelled over, provided that the place visited is more than one mile from the registration office —

- In the case of Government officials at the rates prescribed in the Civil Service Regulations. For the purpose of article 1005 of those regulations the sub registrars of Amritsar and Lahore are regarded as officers of the second class and all other departmental and honorary sub registrars as officers of the third class
- In the case of commissioners if appointed at the rates prescribed for third class officers
- The daily allowance admissible in the case of the sub registrars of Amritsar and Lahore is Rs 2, and in case of other sub registrars and of commissioners Re 1

	Rs	A	P
ARTICLE VI —For filing translations	1	0	0

ARTICLE VII —For deposit, withdrawal and opening of sealed wills—

(1) When deposited in sealed cover under section 42	4	0	0
(2) When withdrawn under section 44	2	0	0
(3) When opened under section 45	4	0	0

NOTE—No fee beyond the copying fee, under article III shall be levied for copying into Book 3 wills opened under section 45

ARTICLE VIII —For the authentication of a power of attorney under section 33	Rs	A	P
	1	0	0

ARTICLE IX —When under section 36 application is made to issue and serve a summons, process fees and remuneration of the person summoned, at the rate prescribed for the civil courts of the province, are to be levied from the person at whose instance, or in whose behalf the application is made and forwarded with the application. When however, the person summoned is the person who has executed the document remuneration is not to be allowed him

INSPECTIONS OF OFFICES.

214. By section 68 of the Registration Act, the registrar of the district is to inspect the offices of sub-registrars at least once a year with superintendence and control over sub-registrars; and to him to exercise such supervision and control in an efficient manner, it is essential that he should visit the several sub-offices and examine the registers and other records therein as often as possible. Every registrar should be inspected by the registrar of the district once a year, including the office at head-quarters which is usually the largest and most important in the district but which is in some districts the least looked after by the registrar, although from its position it should be examined at any time most convenient to him without the least trouble. If, from any cause, the registrar is unable himself to inspect any sub-office during the year he should depute an experienced assistant commissioner on the duty, but the entrusting of this duty to a muharrir is absolutely out of the question. It is distasteful to the registering officers and offers a temptation to extortion which should be avoided.

The number of inspections made of the offices of departmental and honorary sub-registrars should be noticed in the annual reports, and the names of those who may have been unable during any year to inspect, at least once, the offices of sub-registrars and officers who are subordinate to him should be given with reasons for the omission.

215. When a registrar has completed his annual report of an office, he should submit a report thereof to the Registrar-General, giving the following particulars:

Inspection reports
—what to contain

I.—Office inspected, with names of sub-registrars, assistant registrar, officer and muharrir.

II.—Dates of present and last inspection, with object being to show how long the office remained without inspection, and the period over which the report was made.

III.—Statistics of the business done during the year and period.

IV.—Remarks (if any) on the registers.

APPENDIX II
FORMS OF MONTHLY AND OTHER RETURNS
Form A.

Return No 1.

Abstract Statement showing the transactions of the Registration Department
(PARAGRAPH 11)

in the _____ during the quarter ending of _____

[illegible]

CON JURY

The amount levied as travelling allowance for Mr. is paid and commission issued under sections 31, 33 and 35 and the number of times travelled to be detailed below for each office

Certified that the iron safe in #1 is office for the custody of sealed wills &c, was opened by contents were correct and in good condition and the lock in order

If from unavodable cause the iron safe was not examined monthly the reason should be given

Register

142

pled

OFFICE

Form B.

(PARAGRAPH 172.)

Return No. II.

Statement showing the Income and Expenditure of the Registration Department in the _____ District during the month of _____ 191 .

1	2	3	4	5	6	7	8	9	10	11
Major heads of Income	INCOME			Office	EXPENDITURE					
	Minor and Sub heads of Income	Actual realizations during the month now reported on	Actual realizations from commencement of the year to close of the month now reported on		Remuneration to Registering Officer	Establishment	Posting and Telegraph charges	Contingencies	Total	REMARKS
Law and Justice	I.—Provincial Services & Funds Registration Fees for registering documents Fees for copies of registered documents Miscellaneous Fees for searching records Miscellaneous fees Cash recoveries of previous years Total	R ₁	R ₂		R ₁		R ₁	R ₂	R ₁	R ₁
					Pay	Percentage				

District _____

Registrar _____

Dated _____

Form C.

Return No. III. (PARAGRAPHS 173 TO 177 AND 184.)

Detailed Daily Register of transactions in the office of Sub-Registrar of _____ during the month of _____

1	2	3	4	5	6	7	8	9	10	11	12	13	14	14 a	15	16	17	18
No of Book	Date of execution of document.	Date of presentation of document	Date of registering, refusing or searching	Date of return of document	Serial registry No	Nature of document	Amount of consideration set forth in document	Value and other particulars of stamp	Registration fees levied	Fees levied for signing translation	Fines levied	Visits paid and commissions issued and fees levied thereon	Fees levied for searching registers	Safe custody fees	Total fees and fines levied exclusive of copying fees	Copying fees levied	Reasons for refusing to register	REMARKS

Form D

(PARAGRAPH 180)

1st act of Return No III

Description of documents	Number of documents registered or authenticated	Registration fees levied	Value of transactions
Book 1—Compulsory—			
Gifts			
Sales { Agricultural			
Non agricultural			
Mortgages { Agricultural			
Non agricultural			
Leases { Perpetual			
Others			
Other documents			
Total Compulsory			
Optional—			
Sales { Agricultural			
Non-agricultural			
Mortgages { Agricultural			
Non agricultural			
Leases			
Other documents			
Total Optional			
Total Book 1			
Supplementary Book 1			
Book 3—Wills			
Authorities to adapt			
Total Book 3			
Book 4—Documents relating to movable property			
Bonds and other money obligations			
Miscellaneous			
Total Book 4			
TOTAL REGISTRATIONS			
Book 5—Powers of attorney authenticated			
ADD—Miscellaneous fees (not including copying fees)			
Copying fees			
GRAND TOTAL FEES			

Form E.
(PARAGRAPH 182)

DISTRICT.

SUB-DISTRICT.

Commission Bill for the month of _____

1	2	3	4	5	6	7	8
Name of Officer	Designation	Period for which drawn	Rate of pay fixed	Rate of commission.	Fees collected on which commission is payable	Total remuneration to sub-registrar.	Remarks
	1. Cantonment magistrate not in charge of a sub-treasury.		Rs.		Rs. A. P.	Rs. A. P.	
	2. Assistant commissioners, extra assistant commissioners and other civil officers above the rank of tahsildar not in charge of a district or sub treasury.	...	"	{ 50 per cent. of the collections up to Rs. 100 and 25 per cent. of any collections in excess of Rs. 100.			
	3. Departmental sub-registrars (non-pensioners)	...	...	{ 15 per cent. of fee income			
	4. Departmental sub-registrars (pensioners)	...	...	{ Per cent. commission equivalent to the fixed pay, plus 15 per cent on fee income.			
	5. Honorary sub registrars	...	...	{ 50 per cent. of the collections on Rs 50 and 25 per cent of any collections in excess of Rs. 50.			

Dated

191 .

Sub-Registrar.

Form F.
(PARAGRAPH 184-A)

Commission Bill for the month of _____ 191 .

1	2	3	4	5	6	7	8	9	10	11	12
Name of officers	Name and rank of officers	Collector's		Assistant or extra-assistants and commission-ers and other civil officers above the rank of talukdar not in charge of a district or sub-treasury	DEPARTMENTAL SUB-REGISTRARS		Honorary sub registrars.	Total	Income tax deducted at 4 pias per rupee	Income tax deducted at 6 pias per rupee	Net commission payable to sub registrars
		Fees	Lines								
		Rs.	A P.	Rs.	A P.	Rs.	A P.	Rs.	A P.	Rs.	A P.

Certified that the collections shown in columns 3 and 4 were credited in the treasury accounts for the month to which the bill relates and that the amount shown on the reverse was credited during the same month on account of copying fees. Also that the amount shown in column 12 of the commission bill for the month of _____ (the preceding month) on account of remuneration to sub registrars was disbursed to the proper persons, and their receipts taken into acquaintance rolls, receipt stamps being affixed in case of all payments exceeding Rs 20

District

Officer in charge of Treasury

Registrar.

Form G.

(PARAGRAPH 61)

OFFICE OF _____ DISTRICT _____,

*Statement of documents and records proposed for destruction under
Paragraph 61*

Description of document or record with brief abstract of its contents	Year to which docu- ment or records appertain	Opinion of sub registrar as to whether the document or record should be destroyed or not	Orders passed by registrar

Form H.

(PARAGRAPH 215)

INSPECTION REPORT.

REGISTRATION DEPARTMENT, PUNJAB

I.—OFFICE INSPECTED

District	Office	Registering officer	Registration mulctaries

II.—DATES OF INSPECTION

Present inspection	Last inspection by Inspector (General or his personal assistant)	Intermediate inspections by registrar

III.—STATISTICS OF BUSINESS SINCE LAST INSPECTION

Book 1	Supple- mentary Book 1	Book 2	Book 3	Book 4	Book 5	Book 6

IV.—REMARKS ON THE REGISTERS

V.—REMARKS ON THE INDEXES AND SUBSIDIARY BOOKS

VI.—GENERAL REMARKS

No II—Statement of income, namely, fees realized on registrations and all other receipts in each registry office of the district of _____ for the year _____

FEES ON REGISTRATIONS AFFECTING IMMOVABLE PROPERTY, BOOK I

Serial No	Registration Office										Optional							
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
		Instruments of gift (section 17 clause (a))	Instruments of sale or exchange of value exceeding Rs 100 and upwards	Instrument of sale or exchange of value less than Rs 100 (sections 64 and 118 of the Transfer of Property Act)	Instruments of mortgage	Other instruments registered under section 17 clauses (b) and (c)	Instruments of perpetual lease (section 17 clause (d))	Instruments of lease other than of perpetual lease	Total fees on Compulsory Registrations	Instruments of sale or exchange of value less than Rs 100	Instruments of mortgage	Instruments of lease	Other instruments registered under section 18, clauses (a) and (b)	Awards (section 17 clause (i))	Miscellaneous registrations other than certified copies of decrees and orders of court	Certified copies of decrees and orders of court	Total fees on optional registrations	Total fees on registrations affecting immovable property

FEES ON REGISTRATIONS AFFECTING MOVABLE PROPERTY, BOOK IV

19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34
Instruments of gift of moveable property (section 123, clause 2 of the Transfer of Property Act)	Instruments of sale, etc of moveable property [section 18, clause (d)]	Obligations for the payment of money [section 18, clause (f)]	All other documents registered under section 18, clause (f)	Total fees on registrations affecting moveable property	Book III	Fees on registration of written authorities to a local authority or other person conferred by will Book III	Total of fees on all registrations	Fines, under sections 24 and 34	Fees on commissions issued (sections 33 and 38)	Fees on visits paid (sections 31, 33 and 38)	Fees for inspection of books I and II, and the indexes to book I (section 57)	Copying fees credited to Government	All other receipts	Total receipts	Total income

RECEIPTS OTHER THAN FEES ON REGISTRATIONS

(In triplicate.)

Name of Sub Registrar's Office.	Name of the sender of the document	Name of executant and the date of execution	Date on which the document is presented	Nature of document and amount of consideration money	Value of stamp	Detail and total of fees received, registration and copying fees	Number of words and amount	Signature of the Registering Officer.

Custody fee will be charged after a week from date of registration

Form of Receipt Book B. (Miscellaneous fees.)

(In duplicate.)

e of the ffices	Date and month	Name of the person paying the fees with parent- age and residence.	Total of fees received with detail	Signature of the Registering Officer

Form of Receipt Book C.

(In duplicate.)

Receipt granted by the Registrar of District for payment of fees for sealed wills deposited under Section 42, Act III of 1877—

- (1) Name with parentage and residence of person presenting a sealed will
- (2) Date of Registrar's order authorising deposit thereof
- (3) Date of deposit of the will
- (4) Amount of fees received with detail —

Dated

191 .

Signature of Registrar

Footnote — Under the orders of the Government of India depositors of sealed wills are hereby informed that no steps will be taken by Government to ascertain when they die and to communicate after their death with the beneficiaries.

APPENDIX III.

MISCELLANEOUS FORMS.

No 1

Statement showing the temporary changes of incumbencies in the offices of Sub-Registrars in the district during the month of _____ 191 .

(Paragraph 14)

District	Name of office.	Name of absentee.	Kind of leave granted.	Name of person appointed.	Official designation (if any) of the person appointed.	Period during which the appointment was held by the person appointed.			REMARKS
						From (month and date)	To (month and date)	Total number of days	
1	2	3	4	5	6	7	8	9	10

Dated the _____ 191 .
No. 2

Registrar.

Statement showing the names of Sub-Registrars who have attained the age of retirement (paragraph 29).

1	2	3	4	5	6	7	8
Serial No	District.	Name of officer.	Appointment held	Date of birth.	Recommendation by Deputy Commissioner.	Recommendation by Inspector-General of Registration	Orders of Local Government.

Dated _____ 191 .

Deputy Commissioner.

No 3

List of registers, books, and all other papers, sent by the Sub-Registrar of _____, district _____, to the Registrar for deposit in the Central Record Office
(Paragraph 56)

1	2	3	4	5	6	7	8	9
Serial No	Description of book or paper	Number of pages in each book	From what No to what No and from what date to what date	Whole or bound or unbound	Injured pages (if any)	Blank pages (if any)	Missing pages (if any)	Remarks giving particulars of injuries, such as what pages are damaged and how whether the contents are legible or not &c

Date _____ 1901

Signature of Sub-Registrar

No. 4.

Memorandum of documents by which possession of agricultural land is transferred or mortgaged which have been registered before the Sub-Registrar of _____ for the month of _____

(Paragraph 153.)

1	2	3	4	5	6	7	8
Serial No	Name of village in which the property concerned is situated	Nature of transfer area transferred with <i>khassas</i> and <i>jamaabandi Nos</i>	Amount of consideration entered in the document	Name parentage and residence of the executant of the deed	Name and residence of the transferee	Number and date of registration	REMARKS

Office of Tahsildar _____

Forwarded to the Field Kanungo of Circle _____

with the request that he will get the case entered in mutation register.

Dated _____ 191 .

Signature of Tahsildar.

Forwarded in original to the Patwari of Circle _____

for entry in mutation register, if not already entered.

Dated _____ 191 .

Signature of Field Kanungo.

To

THE TAHSILDAR _____

SIR,

The case has been entered in the mutation register of Mauza _____
 on _____ at Serial No. _____.

Dated _____ 191 .

Signature of Patwari.

Dated _____ 191 .

Signature of Field K

No. 5.

Form of Invoice sent with Form 4.

(Paragraph 103)

List of memoranda sent to the Tahsildar of _____ regarding agricultural transfers registered in the month of _____ before the Sub-Registrar of _____

No. of memorandum	Name of village in which the area transferred is situated.	Names of parties.	Date of registration.

N. B.—If no documents affecting land have been registered during the month then the Invoice should be sent blank.

Signature of Registering Officer.

Dated _____

Signature of Office Kanungo.

Dated _____

No. of memorandum	Name of village in which the area transferred is situated.	Names of parties.	Date of registration.	Date on which received back by Office Kanungo from Taluqdar.	Remarks.

N. B.—If no documents affecting land have been registered during the month then the Invoice should be sent blank.

Signature of Registering Officer.

Dated _____

Signature of Office Kanungo.

Dated _____

No 6—Is cancelled

No 7

Stock book of furniture : the office of the *Registrar* of _____ district
Sub Registrar
 (Paragraph 206).

1	2	3	4	5	6	7	8	9
Number	Article (a)	DATE OF PURCHASE		Price	CONDITION ON 1st APRIL		Building or room in which used and official responsible for its custody	Initial of official referred to in column 6 (2)
		Month.	Date		1910	1911		
					1912	1913	1914	

articles as carpets
 scales with weights,
 to be given in
 column to the file in which they are contained
 (4) Controlling and inspecting Officers should enter remarks and orders in this column

APPENDIX IV.

SPECIMEN FORMS OF ENDORSEMENTS.

(PARAGRAPH 157).

A.—Forms of endorsements for authenticating powers of attorney under section 33.

(1). When the principal attends at the registration office:—

"This power of attorney has been executed before me by (*name and addition*) who is a resident of my district (*or sub-district*) and is personally known to me", or, "is identified by——, who is personally known to me."

Date.

Signature of registering officer.

(2). When the registering officer visits the principal at his residence or in jail:—

"I have satisfied myself by personal visit that this power of attorney has been voluntarily executed by" &c., *as before.*

(3). When a commission is issued to obtain evidence as to the voluntary nature of the execution:—

"I have satisfied myself through (*name*) to whom a commission was issued for the purpose, that this power of attorney was voluntarily executed by (*name and addition*) who is a resident of my district (*or sub-district*)."

Date.

Signature of registering officer.

B.—Forms of endorsements to be recorded on wills in deposit, the sealed covers of which have been opened under section 45 or 46.

(4). When the will is opened on application, after the death of the testator, under section 45:—

"Having satisfied myself that the testator hereof is dead, this will has been opened on the application and in the presence of (*name and addition*) this——day of——"

Signatures of Registrar and applicant.

(5). When a will is removed into court under section 45:—

"Opened and removed into the court of——pursuant to order dated——"

Date.

Signature of Registrar.

C.—Forms of endorsements recorded on every document presented for registration under section 52.

(6). When presented at the registration office by some person executing or claiming under it:—

"Presented by (*name and addition*) at the office of the registrar (*or sub-registrar*) of—— this——day of——between the hours of—— and——A.M. (or P.M.)."

Signatures of registering officer and presenter.

Forms of Endorsement—continued.

(7) When presented at the registration office by a representative or assign

" Presented by (name and addition) representative (or assign) of _____
at the office," &c, as before

(8) When presented at the registration office by an agent —

"Presented by (name and addition), who holds a duly authenticated" power of attorney authorizing him to appear on behalf of——, at the office, &c, as before

(9) When the document is accepted for registration at a private residence under section 31 --

"Presented by (name and address) at his private residence, this——"
 Sc. as before

D—Forms of endorsements to be recorded under section 58 on every document admitted to registration, other than a copy of a decree or order, or of a certificate sent under section 89

(10) When the person purporting to have executed the document admits such execution —

' Execution admitted by (name and addition) who is personally known to the registering officer ", or, "is identified by—and—— (these witnesses being personally known to the registering officer) "

Date _____ Signatures of registering officer, executant and witnesses _____

(11) Where any payment of money or delivery of goods is made before the registering officer, or when the executant admits (*or denies*) the receipt in whole or part of the consideration, the foregoing form will be modified and the fact recorded, *e g* —

"Execution admitted and receipt of consideration (or of Rs — in part of consideration) acknowledged by" &c, as before,

or after " personally known to the registering officer " —

" in whose presence the sum of Rs —, being the consideration (or part of the consideration) recited herein, has been paid to the said —" &c,
or "The said — denies receipt of the consideration herein recited"

(12) When the person executing is illiterate

" Document read over and explained to the executant who understands the conditions and admits them to be correct (or who denies such and such a condition)"

(18) When the executant admits execution of the document, but refuses to sign the endorsement —

"The above executant A B refuses to sign this endorsement"

(14) When the execution is admitted by an agent —

"Execution by *(executant)* admitted by *(name and address)*, who authorized in that behalf by a duly authenticated power of attorney said *(agent)* is identified by—," &c, as before

Forms of Endorsement—concluded.

(15) When the execution is admitted by a representative or assign:—

"Execution by (*executant*) admitted by (*name and addition*), of whose right to appear as the representative (*or assign*) of the said (*executant*) the registering officer is satisfied. The said (*representative or assign*) is identified by——" &c., as before.

(16) When the executant is dead:—

"Execution by (*executant*) deceased, admitted by——," &c., as before.

(17) When the document is one executed by any of the officers mentioned in section 58:—

"Having satisfied myself that this document was executed by A. B., official trustee (*or as the case may be*), in his official capacity, his attendance and signature are dispensed with, and this document is admitted to registration."

Date.

Signature of registering officer.

NOTE.—When the presenter is the executant and his addition has already been given in the section 52 endorsement, it is sufficient to record the word 'Mazkur' after his name instead of repeating the addition.

E.—Form of endorsement to be recorded under section 60, on every document registered, including wills which have been opened and copied into Book 3, under sections 45 and 46.

(18) "Registered as No. —— in Book ——, volume ——, on page (or pages) ——, this day of ——."

Signature of registering officer

"*F.—Form of certificate to be recorded on every power of attorney authenticated under section 33 and entered in Book VI.*

(19) Entered as No. —— in Book VI, Volume ——, on page (or pages) ——, this —— day of ——

Signature of registering officer.

APPENDIX V

TERRITORIAL DIVISIONS.

(PARAGRAPH 195).

(A) By notifications* under the powers conferred upon the Local Government by section 5 of Act XVI of 1909 districts and sub-districts have been formed for the purposes of the said Act as follows :—

- (1) The several districts of the Punjab and its dependencies as at present constituted for purposes of revenue and administration shall be deemed to be districts also for the purposes of registration.
- (2) The said districts shall be sub divided into sub-districts, having limits as set forth in the annexed list.

1	2	3
District.	Sub-district	Limits of sub-districts.
Hissar	Hissar . . .	The tahsil of Hissar
	Hansi ..	The tahsil of Hansi
	Bhiwani	The tahsil of Bhiwani
	Fatahabad	The tahsil of Fatahabad
	Sirsa	The tahsil of Sirsa.
Rohtak.	Rohtak . . .	The tahsil of Rohtak
	Jhajjar ..	The tahsil of Jhajjar
	Gohana	The tahsil of Gohana.
	Sonepat	The tahsil of Sonepat.
Gurgaon	Gurgaon	The tahsil of Gurgaon
	Rewari	The tahsil of Rewari.
	Firozpur . . .	The tahsil of Firozpur
	Nuh . . .	The tahsil of Nuh.
	Palwal ..	The tahsil of Palwal.
	Ballabgarh	The tahsil of Ballabgarh

* Punjab Government Notification No. 42, dated 31st May 1909
 " " " " 224, dated 3rd June 1910.
 " " " " 677 S., dated 18th June 1910
 " " " " 2044-S., dated 1st October 1912
 " " " " 577, dated 3rd September 1913.

Territorial Divisions—continued

1	2	3
District	Sub-district	Limits of sub-districts
KARNAL	Karnal	The tahsil of Karnal
	Panipat	The tahsil of Panipat
	Kaithal	The tahsil of Kaithal
	Thanesar	The tahsil of Thanesar
AMBALA	Ambala	The tahsil of Ambala excluding the Military Cantonment.
	Ambala Cantonment	The Military Cantonment of Ambala
	Rupar	The tahsil of Rupar
	Jagadhri	The tahsil of Jagadhri
	Kharar	The tahsil of Kharar
	Naraingarh	The tahsil of Naraingarh
	Kasauli	The tahsil of Kasauli amended by Punjab Government notification No 15 dated 19th April 1914
SIMLA	Simla	The tahsils of Simla and Baraoh including the Jutogh Cantonment
	Kot Khas	The tahsils of Kot Khas and Kotgarh
KANGRA	Kangra	The tahsil of Kangra
	Palampur	The tahsil of Palampur
	Dera	The tahsil of Dera
	Hamirpur	The tahsil of Hamirpur excluding the portions comprised in the sub-districts of Kullu and Nadaun as amended by Punjab Government notification No 30 dated 9th June 1904
	Paroan	The taluka of Kullu in the Hamirpur Tahsil
	Nadaun	The Jagir villages of the Raja of Nadaun in the Hamirpur Tahsil
	Nurpur	The tahsil of Nurpur

Territorial Divisions—continued.

1	2	3
District.	Sub-district.	Limits of sub-districts.
KANJER—CONCEDE.	Kulu	The tahsil of Kulu excluding the portions comprised in the sub-districts of Keylang and Saraj as modified by Punjab Government notification No. 65, dated 20th September 1904.
	Keylang	The taluka of Lahul in the Kulu Tahsil.
	Saraj	The pargana of Saraj in the Kulu Tahsil (<i>vide</i> Punjab Government notification No. 65, dated 20th September 1904).
HOSHARPUR.	Hosharpur	The tahsil of Hosharpur.
	Dasuya	The tahsil of Dasuya.
	Garbshankar	The tahsil of Garbshankar.
	Una	The tahsil of Una.
JULLANDHUR.	Jullundur	The tahsil of Jullundur, excluding the Military Cantonment and the thana of Adampur.
	Jullundur Cantonment	The Military Cantonment of Jullundur.
	Alawalpur	The thana of Adampur.
	Phillour	The tahsil of Phillour.
	Nawashahr	The tahsil of Nawashahr.
	Nakodar	The tahsil of Nakodar.
LUDHIANA.	Ludhiana	The tahsil of Ludhiana excluding the villages of 1904.
	Malaudh	The jagir villages of Sardar Badan Singh of Malaudh in the Ludhiana Tahsil.
	Samrala	The tahsil of Samrala.
	Jagraon	The tahsil of Jagraon.
FERROZPORE.	Ferozepore	The tahsil of Ferozepore (excluding the Military Cantonment) and the villages of the Muktsar Tahsil comprised in the estate of the Nawab of Mamdot as altered by Punjab Government notification Nos. 17 and 18, dated 20th February 1906.
	Ferozepore Cantonment	The Military Cantonment of Ferozepore.
	Zira	The tahsil of Zira.

Territorial Divisions—continued.

1	2	3
District.	Sub-district.	Limits of sub-districts.
FEROZPORE—continued.	Muktesar ...	The tahsil of Muktesar, as altered by Punjab Government notification No. 41, dated 12th August 1905.
	Moga ...	The tahsil of Moga.
	Fazilka ...	The tahsil of Fazilka, as altered by Punjab Government notification No. 41, dated 12th August 1905.
LAHORE.	Lahore ...	The tahsil of Lahore, excluding the Lahore Cantonment.
	Lahore Cantonment	The Military Cantonment of Lahore.
	Kasur ...	The tahsil of Kasur.
	Chunian ...	The tahsil of Chunian
AMRITSAR.	Amritsar ...	The tahsil of Amritsar
	Ajvala ...	The tahsil of Ajvala.
	Tarn Taran ...	The tahsil of Tarn Taran.
GURDASPUR.	Gurdaspur ...	The tahsil of Gurdaspur.
	Pathankot ...	The tahsil of Pathankot.
	Shakargarh ...	The tahsil of Shakargarh.
	Pa'ala ...	The tahsil of Batala.
SIALKOT.	Sialkot ...	The tahsil of Sialkot excluding the Military Cantonment.
	Sialkot Cantonment	The Military Cantonment of Sialkot.
	Pasrur ...	The tahsil of Pasrur.
	Raya ...	The tahsil of Raya
	Zafarwal ...	The tahsil of Zafarwal.
	Daska ...	The tahsil of Daska.
	Gujranwala ...	The tahsil of Gujranwala.
GUJRANWALA.	Wazirabad ...	The tahsil of Wazirabad.
	Haszabad ...	The tahsil of Haszabad.
	Khangah Dogran ...	The tahsil of Khangah Dogran.
	Sharakpur ...	The tahsil of Sharakpur.

Territorial Divisions—continued

1	2	3
District	Sub-district	Limits of sub-districts
GUJRAT	Gujrat	The tahsil of Gujrat
	Kharan	The tahsil of Kharan
	Phalsa	The tahsil of Phalsa
SHAHPUK.	Shahpur	The tahsil of Shahpur
	Bhalwal	The tahsil of Bhalwal
	Khusab	The tahsil of Khusab
	Sargodha	The tahsil of Sargodha
JHELUM	Jhelum	The tahsil of Jhelum
	Pind Dadan Khan	The tahsil of Pind Dadan Khan
	Chakwal	The tahsil of Chakwal
RAWALPINDI	Rawalpindi	The tahsil of Rawalpindi Cantonment
	Rawalpindi Cantonment	The Military Cantonment of Rawalpindi
	Murree	The tahsil of Murree
	Kabula	The tahsil of Kabula
	Gujar Khan	The tahsil of Gujar Khan
ATTOCK	Attock	The tahsil of Attock
	Pind gheb	The tahsil of Pind gheb
	Katchian	The tahsil of Katchian
	Talagang	The tahsil of Talagang
MIRWALI	Manwall	The tahsil of Manwall
	Im Kbel	The tahsil of Im Kbel
	Bhakkar	The tahsil of Bhakkar

Territorial Divisions—continued

1	2	3
District.	Sub-district	Limits of sub-districts
MONTGOMERY.	Montgomery ..	The tahsil of Montgomery.
	Dipalpur .	The tahsil of Dipalpur.
	Okara .	The tahsil of Okara
	akpattan ..	The tahsil of Pakpattan
LYALLPUR	Lyallpur	The tahsil of Lyallpur
	Samundri	The tahsil of Samundri
	Toba Tek Singh	The tahsil of Toba Tek Singh
	Jaranwala	The tahsil of Jaranwala
JHANG.	Jhang	The tahsil of Jhang
	Chiniot .	The tahsil of Chiniot
	Shorkot .	The tahsil of Shorkot
MULTAN.	Multan .	The tahsil of Multan excluding the Military Cantonment
	Multan Cantonment	The Military Cantonment of Multan
	Shujabad . ..	The tahsil of Shujabad
	Lodhran ...	The tahsil of Lodhran
	Mailsi .	The tahsil of Mailsi
	Kabirwala ..	The tahsil of Kabirwala
	Khanewal ...	The tahsil of Khanewal
MUZAFFARGARH.	Muzaffargarh ..	The tahsil of Muzaffargarh
	Alipur .	The tahsil of Alipur
	Sinanwan ...	The tahsil of Sinanwan
	Lelsh / ..	The tahsil of Lelsh

Territorial Divisions—concluded

1	2	3
District	Sub district	L mts of sub distr etc.
DERA GHAZI KHAN	Dera Ghazi Khan	The tahsil of Dera Ghazi Khan
	Rajapur	The tahsil of Rajapur
	Sanghar	The tahsil of Sanghar
	Jampur	The tahsil of Jampur

The 14th November 1913

No 404 — Notification — With reference to sections 3, 5, 6 and 7 of the Indian Registration Act, 1908 (XVI of 1908) as applied to the railway lands mentioned in column 2 of the schedule hereto annexed, in virtue of Government of India Foreign Department notifications Nos 515 I-B 516 I B and 517 I B, dated the 17th March 1913, His Honour the Lieutenant-Governor of the Punjab is pleased to make the following orders —

- 1 All powers and duties conferred and imposed by the Act upon the Inspector-General of Registration shall be exercised and performed within the railway lands mentioned in column 1 of the schedule as lie in the States mentioned in column 2 thereof, by the officers mentioned in the 5th column
- 2 For the purposes of the Act, the railway lands lying in the states mentioned in the second column of the schedule shall form a district and a sub district
- 3 Every officer mentioned in the third and fourth columns of the schedule shall be registrar and sub-registrar of the said district and sub-district, respectively
- 4 The office of the officers mentioned in the third and fourth columns of the schedule shall, respectively, be the office of the registrar and of the sub registrar in question

SCHEDULE

1	2	3	4	5
Railway	Railway district and sub districts	Sub Registrar,	Registrar	Inspector-General of Registration
Rajputana Malwa Railway	Phulera Rewari Chord			Inspector General of Registration, Punjab
	Nabha	Sub Registrar, Rewari	Deputy Commissioner, Gurgaon	
	Patiala			
	Main Line	Ditto		
	Nabha			
	Patandi			
	Rewar Bhatinda Fazilka Section			
	Dujana	Sub Registrar, Bhiwani	Deputy Commissioner, Hisar	
	Jhind			
	Patiala	Sub Registrar, Sirsa		
	Faridkot Frontier to Muktsar			
Faridkot	Sub Registrar, Ferozepore			
Nabha	Naib Tahsildar, Joint Sub Registrar Nathana	Deputy Commissioner Ferozepore		

LISTS OF REGISTERING OFFICERS

(1) that all officers in administrative charge of districts, as at present constituted for purposes of revenue and administration, whether as officiating or as permanent Deputy Commissioners are *ex-officio* Registrars of districts for the purposes of registration and that offices of such Registrars are established at the head-quarters of districts.

(2) that the public officers and other persons mentioned in column 1 of the annexed list are departmental and Honorary Sub-Registrars or joint Sub-Registrars (as the case may be) in the sub-districts mentioned in column 2 thereof, and that the offices of such Sub-Registrars and Joint Sub-Registrars are established at the places mentioned in column 3 thereof.

1	2	3	4
District	Sub-district	Station of office	Sub-Registrars and Joint Sub-Registrars
Hissar	Hissar Taluk	Hissar	{ Iala Chahal Dax Departmental Sub-Registrar Tahsildar Joint Sub-Registrar
	Hansi	Hansi	{ Syed Namst Ali Departmental Sub-Registrar Tahsildar Joint Sub-Registrar
	Bhimani	Bhimani	{ Sarfar Jaswant Singh Departmental Sub-Registrar Tahsildar Joint Sub-Registrar
	Fatahsahi	Fatahsahi	{ Vacant Tahsildar Joint Sub-Registrar
	Sirsa	Sirsa	{ P. S. Ram Gopal Departmental Sub-Registrar Tahsildar Joint Sub-Registrar

*Tribal Commission Decision No 43 dated 31st May 1999

1944	dated 3rd June 1910
1944	dated 15th June 1910.
1944	dated 1st October 1912.
1944	dated 3rd September 1913

Names of Sub-Registrars—continued.

1	2	3	4
District.	Sub district	Situation of office	Sub-Registrars and Joint Sub-Registrars
PORTLAND	Robtak Tahsil	Robtak	Rao Wali Mohammad Khan, Departmental Sub-Registrar, pensioner
	Jhajjar	Jhajjar	Talsildar, Joint Sub Registrar Pesalidar Ram Singh, Departmental Sub-Registrar pensioner.
	Gohana	Gohana	Talsildar, Joint Sub Registrar. K S Zolffkar Khan, Departmental Sub Registrar
	Sonepat	Sonepat	Talsildar, Joint Sub Registrar
GURGAON.	Gurgaon Tahsil	Gurgaon	Ch Jugal Kishore, Honorary Sub Registrar
	Powari	Rewari	Talsildar, Joint Sub Registrar Lala Mahan Lal, Rai Sahib, Departmental Sub Registrar
	Firozpur	Firozpur	Talsildar, Joint Sub Registrar
	Nuh	Nuh	Talsildar Sub-Registrar
	Palwal	Palwal	Ditto
	Ballabgrah	Ballabgrah	Hafiz Muhammad Yasir Ali, Honorary Sub-Registrar
		Faridabad	Talsildar, Joint Sub-Registrar
KARNAL	Karnal Tahsil	Karnal	Nawabzada Shamsbad Ali Khan, Honorary Sub-Registrar
	Panipat	Panipat	Talsildar, Joint Sub Registrar
	Kaithal	Kaithal	S Rafiq Shah, Departmental Sub Registrar
	Thanesar	Thanesar	Talsildar, Joint Sub-Registrar
			Captain Ahmad Hussain, Departmental Sub Registrar
			Talsildar, Joint Sub Registrar
			M Daud Shah, Departmental Sub-Registrar.
			Talsildar, Joint Sub-Registrar

Names of Sub-Registrars—continued.

1	2	3	4
District	Sub-district	Situation of office	Sub Registrars and Joint Sub Registrars
AMBALA	Ambala Tahsil (excluding Ambala Cantonment)	Ambala	R S Ganga Ram, Departmental Sub Registrar Tahsildar, Joint Sub Registrar
	Ambala Cantonment	Ambala Cantonment	Cantonment Magistrate Sub Registrar
	Rupar Tahsil	Rupar	Ch Ganga Bhan Departmental Sub Registrar Tahsildar Joint Sub Registrar
	Jagadhri	Jagadhri	L Durga Parshad Departmental Sub Registrar Tahsildar, Joint Sub Registrar
	Kharnar	Kharnar	Sardar Bahadur Harman Singh, Honorary Sub Registrar Tahsildar Joint Sub Registrar
	Narnaul	Narnaul	M Narain Singh Departmental Sub Registrar Tahsildar Joint Sub Registrar
	Hasanuli	Hasanuli	M Anand Singh Honorary Joint Sub Registrar Cantonment Magistrate Sub Registrar
SIMLA	Simla	Simla	Treasury Officer Sub Registrar
	Kot Khali Tahsil	Kot Khali	Sub Tahsildar Sub-Registrar
KANONA	Kangra Tahsil	Dharmasala Kangra	Treasury Officer Sub-Registrar Tahsildar Joint Sub-Registrar
	Jalampur	Jalampur	Tahsildar Sub Registrar
		Bajpur	Mian Devi Chand Honorary Joint Sub Registrar
	Dera	Dera	Tahsildar Sub-Registrar
	Hansi Tahsil (excluding the portions comprised in the Jhelum and Bafra Sub-districts)	Hansi	Tahsildar Sub-Registrar

Names of Sub-Registrars—continued

1	2	3	4
District	Sub District	Station of office	Sub Registrars and Joint Sub-Registrars
KANGRA—continued	Kutlehr Sub-district of 10 villages	Parozian	Paja Pam Pal C. S. I. Honorary Sub-Registrar
	Nadsun Sub-district of 15 villages	Nadsun	Paja Nandhar Chand C. S. I. Honorary Sub Registrar
	Nurpur Tahsil	{ Nurpur Irthara	Tahsildar Sub Registrar P. S. Chaudhri Malla Sub Honorary Joint Sub Registrar
	Kulu Tahsil (excluding Kerlang and Saraj Sub districts)	Kulu	Tahsildar Sub Registrar
	Kerlang Sub-district of 14 villages	Kerlang	Thakur Amar Chand, Departmental Sub Registrar
HOSHIAARPUR	Saraj Sub Tahsil	Saraj	Sub Tahsildar Joint Sub Registrar
	Hoshiarpur Tahsil	Hoshiarpur	{ Subedar Major Mula Singh Departmental Sub Registrar Tahsildar Joint Sub Registrar
	Darya "	{ Darya Mukerian	{ Tahsildar Mohan Singh Departmental Sub Registrar per seener Tahsildar Joint Sub Registrar
	Garhshankar	Garhshankar	{ Subedar Major Mohan Singh Departmental Sub Registrar Tahsildar Joint Sub Registrar
	Una	Una	{ Subedar Major Mohan Singh Departmental Sub Registrar Tahsildar Joint Sub Registrar
	Jullundur Tahsil (excluding Jullundur Cantonment and Alawalpur Sub District)	Jullundur	{ Subedar Major Fakir Lakhs Honorary Sub Registrar Tahsildar Joint Sub Registrar
JULLANDER	Jullundur Cantonment	Jullundur Cantonment	Cantonment Magistrate Sub Registrar
	Alawalpur Cante- Tiana of Alawalpur	Alawalpur	Barlar Adellar Singh Departmental Sub Registrar

Names of Sub Registrars—continued

1	2	3	4
District	Sub-district	Situation of office	Sub Registrars and Joint Sub Registrars
TULLYDER—continued	Phillaur Taluk	Phillaur	{ Sardar Sahib Shiv Narain Singh Departmental Sub Registrar pensioner Tahsildar Joint Sub Registrar
	Nawashahr	{ Nawashahr Ranga	{ Lala Mathra Das Departmental Sub Registrar pensioner Tahsildar Joint Sub Registrar
	Nakodar	Nakodar	{ Lala Bishen Day Departmental Joint Sub Registrar Rai Sahib Lala Atmalam Departmental Sub Registrar Tahsildar Joint Sub Registrar
	Mullaana Taluk (excluding Mullaana sub-district)	Mullaana	{ Honorary Lieutenant Sardar Bahadur Javala Singh Departmental Sub Registrar pensioner Tahsildar Joint Sub Registrar
LUDHIANA	Mullaana sub-district of 51 villages	Mullaana	Sardar Sant Singh Honorary Sub Registrar
	Saigra Taluk	Saigra	{ Sardar Bahadur Ragbir Singh Departmental Sub Registrar Tahsildar Joint Sub Registrar
	Jagraon	Jagraon	{ Rai Inayat Khan Departmental Sub Registrar Tahsildar Joint Sub Registrar
BEROZPORE	Berozpora Taluk (excluding Berozpora Cantonment) and the villages of the Muktsar Sub-district comprised in the estate of the Nana of Mian Kot	Berozpora	{ Khan Lal Ahmad Khan Departmental Sub Registrar Tahsildar Joint Sub Registrar
		Nathana	Nathana Tahsildar Joint Sub Registrar

Names of Sub Registrars—continued

1	2	3	4
District	Sub district	Situation of office	Sub Registrars and Joint Sub Registrars
FEROZPORE—continued	Ferozepore Cantonment	Ferozepore Cantonment	Cantonment Magistrate Sub Registrar
	Zira Taluk	Zira	{ Vacant Talsildar Joint Sub Registrar
	Muktsar Taluk (excluding the villages comprised in the estate of Nawab of Mamdo which are included in the Ferozepore Sub district)	Muktsar	{ Sardar Bhagat Singh Departmental Sub Registrar Talsildar Joint Sub Registrar
	Moga Taluk	Moga	{ Hira Gajinder Singh Departmental Sub Registrar Talsildar Joint Sub Registrar
	Fazilka	Fazilka	{ Boli Dwar Singh Departmental Sub Registrar Talsildar Joint Sub Registrar
		Abolar	Nab Talsildar Joint Sub Registrar
LAHORE	Lahore Taluk (excluding Lahore Cantonment)	Lahore	{ Rai Laladhar Lal Amar Nath MBI Departmental Sub Registrar Pensioner Talsildar Joint Sub Registrar
	Lahore Cantonment	Lahore Cantonment	Cantonment Magistrate Sub Registrar
	Kasur Taluk	Kasur	{ Syed Ahmad Ali Departmental Sub Registrar Talsildar Joint Sub Registrar
	Churlan	Churlan	{ Hissardar Rajinder Singh Departmental Sub Registrar Talsildar Joint Sub Registrar

Names of Sub Registrars—continued

1	2	3	4
District	Sub-district	Situation of office	Sub Registrars and Joint Sub Registrars
AMRITSAR	Amritsar Taluk	Amritsar	{ Hon'ble Tika Ram Mahan Chandel, Honorary Sub Registrar Talukdar, Joint Sub Registrar
	Ajvala	Ajvala	{ Sardar Sahib Singh Departmental Sub Registrar Talukdar, Joint Sub Registrar
	Tarn Taran	Tarn Taran	{ Sardar Harnam Singh Departmental Sub- Registrar Talukdar, Joint Sub Registrar
	Gurdaspur Taluk	Gurdaspur	{ M. Allah Iqbal Departmental Sub- Registrar Pensioner Talukdar, Joint Sub Registrar
	Pathankot	Pathankot	{ Rameshwar Tara Singh Departmental Sub Registrar Talukdar, Joint Sub Registrar
	Dalhousie	Dalhousie	{ Assistant Commissioner, Joint Sub Regis- trar
GURDASPUR	Shakargarh	Shakargarh	{ Rameshwar Ja Ram Bahadur Departmental Sub Registrar Talukdar, Joint Sub Registrar
	Batala	Batala	{ Raminder Mahbub Ali Chahal Departmental Sub Registrar Pensioner Talukdar, Joint Sub Registrar
	Sialkot Taluk (ex- cluding Sialkot Cantonment)	Sialkot	{ H. Chirat Singh Departmental Sub- Registrar Pensioner Talukdar, Joint Sub Registrar
	Sialkot Cantonment	Sialkot Cantonment	{ Cantonment Magistrate, Sub-Registrar
SIALKOT	Parer Taluk	Parer	{ Chaudhry Altaf Ali Departmental Sub- Registrar Talukdar, Joint Sub Registrar
	Lahore Taluk	Lahore	{ Chaudhry Altaf Ali Departmental Sub-Regis- trar Talukdar, Joint Sub Registrar
	Lahore Taluk	Lahore	{ Chaudhry Altaf Ali Departmental Sub-Regis- trar Talukdar, Joint Sub Registrar

Names of Sub-Registrars—continued

1	2	3	4
District	Sub-district	Station of office	Sub Registrars and Joint Sub Registrars
SIALKOT—continued	Zafarwal Tahsil	Zafarwal	Chaudhri Ghulam Mustafa Khan, Departmental Sub-Registrar, pensioner Tahsildar, Joint Sub-Registrar
	Daska	Daska	S. Randhwa Singh, Departmental Sub-Registrar Tahsildar, Joint Sub-Registrar
GUJRANWALA	Gujranwala Tahsil	Gujranwala	Pas Baladur Ishaq Barkat Ram, Honorary Sub-Registrar Tahsildar, Joint Sub-Registrar
	Wazirwalah	Wazirwalah	Chaudhri Ali Mohammad, Departmental Sub-Registrar Tahsildar, Joint Sub-Registrar
	Hafizwalah	Hafizwalah	Malik Mohammad Wazir Khan, Departmental Sub-Registrar Tahsildar, Joint Sub-Registrar
	Khangah Tahsil	Khangah Dogran	Mirza Ali Mohammad Beg, Departmental Sub-Registrar, pensioner Tahsildar, Joint Sub-Registrar
	Sharskopur Tahsil	Sharskopur	Vacant Tahsildar, Joint Sub-Registrar
	Gujrat Tahsil	Gujrat	Chaudhri Fazal Ali, Departmental Sub-Registrar Tahsildar, Joint Sub-Registrar
GUJRAT	Kharan	Kharan	Chaudhri Ghulam Sarwar, Departmental Sub-Registrar Tahsildar, Joint Sub-Registrar
	Pipla	Pipla	M. Mohammad Ashraf Khan, Departmental Sub-Registrar Tahsildar, Joint Sub-Registrar

Names of Sub-Registrars—continued.

1	2	3	4
District.	Sub-district.	Situation of office.	Sub Registrars and Joint Sub-Registrars
SHARADH.	Shalpur Tahsil	Shalpur	{ Malik Mawaffar Khan, Tiwana, Departmental Sub Registrar Tahsildar, Joint Sub-Registrar.
	Bhalwal "	Bhalwal	{ Honorary Lieutenant Malik Sardar Khan Departmental Sub-Registrar Tahsildar, Joint Sub-Registrar
	Khusab "	Khusab	{ Honorary Captain Malik Ahmad Yar Khan, Departmental Sub Registrar Tahsildar, Joint Sub Registrar.
	Sargodha "	Sargodha	{ Shahzada Ghulam Mubammad, Departmental Sub Registrar Tahsildar, Joint Sub-Registrar
JHELUM	Jhelum Tahsil	Jhelum	{ K. Munshi Mohammad Khan, Departmental Sub Registrar Tahsildar, Joint Sub-Registrar
	Pind Dadan Khan Tahsil	Pind Dadan Khan	{ Pir Munawar Shah Departmental Sub Registrar Tahsildar Joint Sub Registrar
	Chakwal Tahsil	Chakwal	{ Bhandar Sultan Mohammad Khan, Departmental Sub Registrar Tahsildar Joint Sub-Registrar
RAWALPINDI	Rawalpindi Tahsil (excluding Rawalpindi Cantonment)	Rawalpindi	{ Sheikh Khan Mohammad, Departmental Sub-Registrar, pensioner Tahsildar, Joint Sub-Registrar
	Rawalpindi Cantonment	Rawalpindi	{ Cantonment Magistrate Sub-Registrar
	Murree Tahsil	Murree	{ Assistant Commissioner Sub-Registrar Tahsildar Joint Sub Registrar
	Kaluta "	Kaluta	{ Subedar Hashmat Ali Khan, Departmental Sub-Registrar Tahsildar, Joint Sub-Registrar
	Gujar Khan Tahsil	Gujar Khan	{ Kori Singh Ali, Departmental Sub-Registrar Tahsildar, Joint Sub-Registrar.

Names of Sub-Registrars—continued.

1	2	3	4
District	Sub district	Situation of office	Sub Registrars and Joint Sub Registrars
ATTOCK	Attock Tahsil	Campbellpur	{ Captain Ajab Khan, Sardar Bahadur I.O.M., Departmental Sub Registrar
	Pindi Gheb „	Pindi Gheb	{ Tahsildar, Joint Sub Registrar
	Fatehjang „	Fatehjang	{ Tahsildar, Sub Registrar
	Talagang „	Talagang	{ Vacant Tahsildar, Joint Sub Registrar
MIANWALI	Mianwali Tahsil	Mianwali	{ M. Sultan Khan, Departmental Sub Registrar
	Ira Khel „	Ira Khel	{ Tahsildar, Joint Sub Registrar
	Bhakkar Tahsil	Bhakkar	{ M. Muhammad Sarbuland Khan, Depar- tmental Sub Registrar Tahsildar Joint Sub Registrar Subedar Fattah Muhammad Khan, Depar- tmental Sub Registrar, pensioner Tahsildar, Joint Sub Registrar
MONTGOMERY	Montgomery Tahsil	Montgomery	{ Treasury Officer, Sub Registrar
	Dipalpur Tahsil	Kamalia	{ M. Saadat Ali Khan, Honorary Joint Sub- Registrar
	Okara „	Dipalpur	{ Vacant Tahsildar, Joint Sub Registrar
	Pakpattan „	Okara	{ Tahsildar, Sub Registrar
LYALLPUR	Lyallpur Tahsil	Pakpattan	{ Lala Ganga Ram, Honorary Sub Registrar
	Samundari „	Lyallpur	{ Tahsildar, Joint Sub Registrar
	Toba Tek Singh Tahsil	Samundari	{ Tahsildar Sub Registrar
	Jaranwala Tahsil	Toba Tek Singh	{ Ditto
		Jaranwala	{ Ditto

Names of Sub-Registrars—continued

1	2	3	4
District.	Sub district	Situation of office	Sub Registrars and Joint Sub Registrars
Jhang	Jhang Tahsil	Jhang	<div> <div></div> <div> Rao Sahib Lala Girdhari Lal Departmental Sub Registrar Tahsildar Joint Sub Registrar </div> </div>
	Chiniot "	Chiniot "	Tahsildar, Sub Registrar
	Shorkot "	Shorkot	Ditto
		Garyh Malaraja "	Mr A Broadway, Honorary Joint Sub Registrar
Multan	Multan Tahsil (excluding Multan Cantonment)	Multan	<div> <div></div> <div> Honble S M Rajan Shah, Honorary Sub-Registrar, Tahsildar, Joint Sub Registrar </div> </div>
	Multan Cantonment	Multan	Cantonment Magistrate's Sub Registrar
	Shujabad Tahsil	Shujabad	Tahsildar Sub Registrar
	Lodhran "	Lodhran	Ditto
	Mallat	Mallat	Ditto
	Kabirwala "	Kabirwala	Ditto
	Khanewal "	Khanewal	Ditto
Muzaffargarh	Muzaffargarh Tahsil	Muzaffargarh	<div> <div></div> <div> M Ghaus Bakhsh Departmental Sub-Registrar Tahsildar, Joint Sub Registrar </div> </div>
	Alipur Tahsil	Alipur	<div> <div></div> <div> Muhammad Ghaus Bakhsh Departmental Sub-Registrar Tahsildar, Joint Sub-Registrar </div> </div>
	Sianwan "	Thatha Germani	Khan Sahab Miran Sheikh Ahmad Departmental Sub-Registrar
		Sianwan "	Tahsildar, Joint Sub-Registrar
	Leiah "	Leiah "	<div> <div></div> <div> Miran Allah Bakhsh, Departmental Sub-Registrar Tahsildar, Joint Sub-Registrar </div> </div>

Names of Sub Registrars—concluded

1	2	3	4
District	Sub district	Situation of office	Sub Registrars and Joint Sub Registrars
DERA GHAZI KHAN	Dera Ghazi Khan Tahsil	Dera Ghazi Khan	M. Karim Dal Khan Departmental Sub Registrar Tahsildar Joint Sub Registrar
	Rajampur Tahsil	Rajampur	R. S. L. Chotal Lal Departmental Sub Registrar Tahsildar Joint Sub Registrar
	Sanghar	Sanghar	Tahsildar Sub Registrar
	Jampur	Jampur	Chandrar Bhoja Puri Departmental Sub Registrar Tahsildar Joint Sub Registrar

The following Sub Registrars are authorized to exercise and perform in addition to their own powers and duties, all the powers and duties of the Registrars of their respective districts except those specified in sections 65 and 72 of the Indian Registration Act —

- (1) Rai Bahadar Lala Amar Nath, M.B.E., of the Lahore Sub-district (Punjab Government notification No. 9, dated 14th February 1908)
- (2) Rai Bahadar Lala Barkat Ram of the Gujranwala Sub district (Punjab Government notification No. 47, dated 7th July 1908)
- (3) Khan Rab Nawaz Khan of the Ferozepore Sub district (*vide* Punjab Government notification No. 78 dated 2nd September 1911)
- (4) Mr. S. David of the Lyallpur District (*vide* Punjab Government notification No. 22148, dated 24th November 1917)
- (5) Bhai Charat Singh of the Sialkot Sub district (*vide* Punjab Government notification No. 19026 J, dated 26th August 1919)

APPENDIX VI-B

(B) LIST OF DEPARTMENTAL SUB-REGISTRARS REFERRED TO IN PARAGRAPH 22

Serial No	Name of incumbent	Name of post	EMOLUMENTS	
			Rate of salary sanctioned	Rate of percentage sanctioned
1	Chaudhr Fazal Ali	Sub Registrar, Gojrat	40	+15

This salary will be temporary during the tenure of the present incumbent. A permanent fixed salary of Rs 120 has been sanctioned for Lahore, but as the present incumbent is a pensioner, he will be allowed to draw percentage, equivalent to Rs 120 pay + 15 per cent of the fee income. Similarly a permanent fixed salary of Rs 120 has been allotted to Amritsar, but the present incumbent has been allowed to rank and draw emoluments as an Honorary Sub Registrar.

APPENDIX VII.

RULES MADE UNDER THE PUNJAB ALIENATION ACT XIII OF 1900 (SECTION 25), REGARDING THE DUTIES OF REGISTERING OFFICERS IN REFUSING OR ADMITTING REGISTRATION OF INSTRUMENTS ALIENATING RIGHTS IN LAND (vide foot note to paragraph 141)

1 (a) When an instrument which records or gives effect to a permanent alienation of land, requiring, under section 3 of the Act, the sanction of the Deputy Commissioner, is presented to a registering officer unaccompanied by a certified copy of an order giving such sanction or

(b) when an instrument of agreement purporting to charge or alienate the produce of land which under section 13 of the Act, requires the sanction of the Deputy Commissioner is presented unaccompanied by a certified copy of an order giving such sanction, or

(c) when an instrument of mortgage, which is required to be made in one of the forms prescribed in section 6 of the Act, is presented not made in any such prescribed form the registering officer in refusing to admit the instrument to registration, shall proceed in the following manner he shall

(d) record no endorsement upon the document itself, nor shall he make any entry of reasons for refusal to register in book II, but

(e) he shall enter his reasons for not admitting the instrument to registration in a separate book (to be prescribed and provided by the Inspector general of registration), and shall give to the presenter of the instrument a copy of such entry and shall, at the same time, return the instrument unendorsed to the presenter

2 An instrument of the kinds mentioned in the foregoing rule which has been returned thereunder may be presented again for registration, and may then be admitted to registration if accompanied by the certified copy of the order which was required, or if amended by the parties themselves, or by the Deputy Commissioner acting under section 9 of the Act, so as to make it conform to the prescribed form

3 (a) In registering an instrument of the kinds mentioned in clauses

(b) in registering an instrument of the kind mentioned in clause (c) of rule I, when the same has been revised or altered by the Deputy Commissioner acting under section 9 of the Act, the registering officer shall regard such order of revision or alteration as a part of the instrument, and shall cause a copy of such order to be entered along with a copy of the instrument in the appropriate book

4 An appeal may be lodged to the Registrar against any return of an instrument made by a Sub-registrar under clause (c) of rule I and if the

*NOTE.—Books with lithographed headings have been prepared and forwarded to all registering officers in which reasons for refusing documents under the provisions of the Alienation of Land Act should be recorded. These books are entirely distinct from book II in which reasons for ordinary refusal are recorded, and the object of issuing the present book is that the two classes of refusal should be kept entirely distinct.

The Land Alienation Act—continued.

... registered in the form in which it
 ... register it accordingly. If
 ... all be registered only after
 specified amendment or addition, then the provisions of Rule 2 as to admission to registration shall apply

5. When a mortgage deed is cancelled by the Deputy Commissioner under section 9 (2) of the Punjab Alienation of Land Act (XIII of 1900),

cancelled.

6. In cases in which a registered mortgage deed is revised or altered by the Deputy Commissioner under section 9 (1), or where under section 9 (2) of the Punjab Alienation of Land Act (XIII of 1900), a condition intended to operate by way of conditional sale is struck out, the Deputy Commissioner shall when returning the document to the parties after revision, alteration or striking out, send a copy of his orders to the office where the document was originally registered, and the registering officer concerned shall make a note of the correction, revision or striking out together with a reference to the Deputy Commissioner's order in the column of remarks against the copy of the document concerned

7. When any permanent alienation, which under section 3 of the Punjab Alienation of Land Act (XIII of 1900) is not to take effect as such until the sanction of a Deputy Commissioner is given thereto, has been reduced to writing and the deed of transfer has in the absence of such sanction been registered, contrary to the provisions of section 17 (2) of the said Act, the Deputy Commissioner shall, on such registration coming to his notice, intimate to the registering officer, in whose office the deed was registered, that the sanction of the Deputy Commissioner to the transaction had not been obtained, and the registering officer shall therefore make a note to that effect in red ink in the column of remarks against the copy of the document, and shall add that registration was in contravention of the provisions of section 17 (2) of the said Act. A copy of the said remarks shall be endorsed on every copy of the deed supplied thereafter by the registering officer under section 91 of the Indian Registration Act, 1908.

EXPLANATORY NOTE WITH ADDITIONAL INSTRUCTIONS

1. The above rules were required because section 17 of the Punjab Alienation of Land Act, 1900, enjoin that when an instrument is presented for registration, which—

- (1) contravenes any provision of the Act, or
- (2) records, or gives effect to any transaction which requires the sanction of the Deputy Commissioner under the Act, and the instrument is not accompanied by a certified copy of the order, giving such sanction,

the instrument shall not be registered.

The Land Alienation Act—continued.

2 To apply the rules properly, registering officers must acquaint themselves with the meaning of the term 'agricultural tribe', as used in the Act. The Punjab Government has by notification decided what persons are members of agricultural tribes and how those tribes are grouped in each district. In each district all the tribes in the same group form, to all intents and purposes, one society between the members of which alienations are not restricted by the Act. A member of a separate group is debarred from giving land to, or receiving land from, a member of another group of agricultural tribes, except as provided in the Act.

Nor are alienations by persons who are not members of agricultural tribes restricted by the Act (except in one instance mentioned below).

3 Therefore when a deed of permanent alienation of land is presented to a registering officer his first business is to consider who the alienor is.

If the alienor is not a member of an agricultural tribe the deed may be registered without attention to the question of who the alienee is.

4 When an instrument of permanent alienation of land is presented, if the alienor is a member of an agricultural tribe, then the registering officer should ascertain who the alienee is.

If the alienee is a member of one of the agricultural tribes in the same group in the same district as the alienor, the instrument may be registered without question.

If the alienee is not such a person, the Deputy Commissioner's sanction to the transfer is required, and, if no copy of such order is produced, the document should be returned unendorsed under rule 1, with instructions that a copy of the Deputy Commissioner's order of sanction is required, and that the instrument can only be admitted to registration when this defect has been supplied and it has been presented again under rule 2.

5 When a mortgage deed is presented it is necessary to ascertain who the alienor is. If he is not a member of an agricultural tribe the deed can

necessarily be valid.

If the alienor is a member of an agricultural tribe, then, if the alienee is also a member of one of the agricultural tribes in the same group in the same district as the alienor, the deed may be registered without question.

But if the alienor is a member and the alienee is not a member of an agricultural tribe in the same group then the deed should be returned under rule 1, unless it is drawn up in one or other of the following forms —

- (a) in the form of a usufructuary mortgage, by which the mortgagor delivers possession of the land to the mortgagee and authorises him to retain such possession and to receive the rents and profits of the land in lieu of interest and towards payment of the principal, on condition —
 - on, or (if no term is agreed) twenty years) after the expiration of which the land is to be re-delivered to the mortgagor, or

The Land Alienation Act—continued.

- (b) in the form of a mortgage without possession, subject to the condition that, if the mortgagor fails to pay principal and interest according to his contract, the mortgagee may apply to the Deputy Commissioner to place him in possession for such term as may be determined by the Deputy Commissioner, and for such sum as may be due to the mortgagee on account of the balance of principal due and of interest due not exceeding the amount claimable as simple interest at such rate and for such period as the Deputy Commissioner thinks reasonable, or
- (c) in the form of a written usufructuary mortgage by which the mortgagor recognises the mortgagee as a landlord and himself remains in cultivating occupancy of the land as a tenant, subject to the payment of rent at such rate as may be agreed upon not exceeding sixteen annas per rupee of the amount of the land-revenue in addition to the amount of the land-revenue of the tenancy, and the rates and cesses chargeable thereon, and for such term as may be determined by the Deputy Commissioner, to alienate his right in the land to the mortgagee having no grounds mentioned in section 33 of the Punjab Land Revenue Act, 1887.

When a mortgage deed is returned owing to its not being drawn up in one or other of the above forms, it may be accepted for registration if presented again in amended form under rule 3.

5 A. In accepting or refusing documents purporting merely to enhance the mortgage debt, registering officers should be guided by the following rule issued by the Financial Commissioners in paragraph 29 of Standing Order 1.

In the case of mortgages executed before the passing of the Act, a mortgage deed is ordinarily to be treated as valid under the Act (XIII of 1900) unless it is cancelled or if it contains conditions substantially different from those contained in the old mortgage deed or raises the aggregate mortgage money to a figure in excess of the value of the land, and the Deputy Commissioner thinks it equitable to use the power conferred on him by section 9 (1) of the Act (XIII of 1900) he is at liberty to do so, but unless the old deed has been cancelled, the Deputy Commissioner has no power to touch it and can only revise the new mortgage.

C. When an instrument purporting to alienate or charge produce of land is presented it is necessary to ascertain who the alienor is. If he is a member of an agricultural tribe, then, if the deed purports to alienate or charge the produce for more than one year, the Deputy Commissioner's sanction to the alienation is required, and if no copy of such order of sanction

The Land Alienation Act—continued

produced, the deed should be returned under rule 1 with instructions that a copy of the Deputy Commissioner's order of sanction is required before it can be admitted to registration under rule 2

7. An instrument of lease or farm made by a member of an agricultural tribe should not be refused admission to registration merely because the term of years prescribed in section II of the Act is exceeded in the conditions of the instrument, as the instrument in other respects would not be necessarily invalid

8. If when an instrument is returned for amendment under rule I it is entirely re-written and re-executed so as to form a fresh document which conforms to the form prescribed by the Act, such fresh document may, of course be admitted to registration under rule 2, just as if it were the original document amended

9 (a) Delay in registering a document occasioned by the necessity of obtaining any order of a Deputy Commissioner under the Punjab Alienation of Land Act, 1900, should, in the absence of any reason to the contrary, be held by the registering officer to be a delay due to urgent necessity within the meaning and for the purposes of, sections 25 and 34 of Act XVI of 1908, and in such cases sub-registrars should take the orders of registrar accordingly

(b) If any delay occasioned by the necessity of obtaining an order of Deputy Commissioner under the Punjab Alienation of Land Act 1900, is no due to any default on the part of the person desiring registration the registrar in directing the registration of the document, should, whether he is acting under section 25 or section 34 of Act XVI of 1908, require payment of only a nominal fine. It is obvious that the fine or additional fine should be as nominal as possible, and an order for the payment of an amount of even only one anna in excess of the proper registrar fee would satisfy the rule as to fines or additional fines, made under section 69 of Act XVI of 1908 to meet cases of this kind

10 (a) It is necessary to add that 'permanent alienations' means sales exchanges, gifts, wills and grants of occupancy rights

(b) Also that 'land' means land which is not occupied as the site of any building in a town or village, and is occupied or let for agricultural purposes or for purposes subservient to agriculture, or for pasture, and includes—

- (a) the sites of buildings and other structures on such land,
- (b) a share in the profits of an estate or holding,
- (c) any dues or any fixed percentage of the land revenue payable by an inferior land-owner to a superior land owner,
- (d) a right to receive rent,
- (e) any right to water enjoyed by the owner or occupier of land as such,
- (f) any occupancy right

APPENDIX VIII.

QUESTIONS TO BE USED AS GUIDES IN THE INSPECTION OF OFFICES OF SUB-REGISTRARS.

(PARAGRAPH 216.)

BOOK I.

I. Read over the endorsements of three deeds in each volume registered since the last inspection and note :—

- (1) Are the endorsements in the forms given in C (6), D (10) and E (18) (or as the case may be) of Appendix IV?
- (2) Are they written by the sub-registrar with his own hand where this is obligatory. See paragraph 157.
- (3) Are both the alienor and alienee identified in a proper manner? See paragraphs 132 and 133.
- (4) Does the registering officer certify in the section 60 certificates that thumb marks were taken in his presence? See paragraph 136.

II. Read over the important part of 15 deeds in each volume, electing at least 3 deeds of sale, 3 mortgage deeds, 3 deeds of lease and see :—

- (i) Are (a) consideration for and (b) nature of the deed and (c) number of words and (d) copying fees correctly stated in column 2 of the register?
- (ii) Are stamps shown in column 1 correct?
- (iii) Have registration fees been correctly assessed?
- (iv) Are interlinations, &c, in the original deeds copied exactly and noted in the register by the sub-registrar in accordance with section 20 of the Act?
- (v) Are references under paragraph 69 duly noted?
- (vi) Are corrections made in red ink and attested by the registering officer? See paragraph 109.
- (vii) Are deeds of mortgage being registered as leases? See paragraph 88.
- (viii) Are the provisions of the Land Alienation Act observed?
- (ix) If the property is not wholly situated in the sub-district, did the registering officer send a memorandum or copy of the document to the sub registrar or registrar concerned and was a fee realized for preparing the copy to be sent to the registrar? See sections 64 and 65, and paragraph 161.
- (x) Has the sub-registrar jurisdiction to register, see sections 23 and 29 and paragraph 122, and were the documents presented within time? See sections 23, 25 and 34.

Questions for inspection—continued

III Are documents consecutively numbered by the calendar year (section 57), and are the provisions of paragraph 169 observed?

IV Are certificates at the end of a year and of a volume in the proper form, and are lists of errors attached to them in a tabular form? See paragraphs 65 and 66

V Has the registering officer examined each volume on receiving it from the office of the registrar? See paragraph 64

VI See that only vernacular figures are used in the registers. See paragraph 164

VII Is the cancellation or amendment of deeds by the civil courts or by the Deputy Commissioner noted in red ink? See paragraphs 106 to 107

SUPPLEMENTARY BOOK 1

I Are headings of the books properly filled up? See paragraph 70

II Are endorsements on memos and copies, &c., properly made? See paragraph 70

III Are the documents entered in indexes Nos. I, II

BOOK 2

I Are the grounds for refusal sufficient. See sections 30, and paragraphs 79 and 143

II Are they in the handwriting of the registering officer?

BOOK 3

I Read over a few documents and see that only wills and deeds of adoption which are also wills are registered in this book. See paragraphs 80, 81 and 88

BOOK 4

I See that the points noted under book I, are, so far as applicable correct in book 4 too

II Read over two or three documents of each kind and see—

- (1) that none of the documents registered in this book relates to immoveable property,
- (2) that the nature of the documents is properly described,
- (3) that powers of attorney are classified into special and general and that general powers have not been stamped as special powers,
- (4) that powers of attorney for conducting cases within the Punjab have been stamped with court fee stamps in accordance with article 10, schedule 2 of the Court Fees Act

BOOK 5

See that the substance of those powers of attorney only is entered in this book which authorize an agent to present a document for registration and nothing more. See paragraph 87

Questions for Inspection—continued

INDEXES

- 1 Are they up to date ?
- 2 Are entries correctly made ? Compare some entries with the books
- 3 Are the indexes of the past years bound up and are duplicates sent to the registrar's office at the close of the year ? See paragraphs 94 and 96

SUBSIDIARY BOOKS.

FEES BOOK

() Check some entries for consecutive days with the registers receipt books A and B, statement III and *staka*

Check also monthly totals of 3 or 4 months

- (2) Are fees promptly paid into the treasury ?
- (3) Are monthly totals made in red ink and signed by the registering officer ?
- (4) Are the entries signed daily by the registering officer and by the treasurer when he receives money ?

RECEIPT BOOK A

NOTE.—This book will show whether there are any documents which have not yet been copied in the registers or no returned to the persons entitled to get them

- (1) Are documents copied and returned the same day ?
- (2) Is the date of the return of documents noted on the reverse ?
- (3) Are numbers of documents, book and volume noted on the reverse ?
- (4) Is the signature or the thumb impression of the person (if illiterate—with his name written in vernacular) to whom the document is returned taken on the reverse ?
- (5) Are receipts numbered consecutively in annual series ?
- (6) What documents are lying unreturned and what are the reasons ?
- (7) Does the number of unreturned documents present in the office correspond with the number of absent counterfoils ?

FILE BOOK

- (1) Is it up to date and does it contain no other papers ?
- (2) Has a yearly list been prepared See paragraph 101

MISCELLANEOUS FILES

- (1) Are they arranged in yearly bundles ? See paragraph 102
- (2) Are papers of a transitory character regularly destroyed ? See paragraph 61

Questions for Inspection—concluded

APPLICATIONS FOR COPIES OF PREVIOUSLY REGISTERED DOCUMENTS

- (1) Is the index attached to the bundle of applications in the proper form? See paragraph 103
- (2) Are applications arranged in yearly bundles?
- (3) Is the number of words to be copied noted in the muharrir's report?
- (4) Are copies promptly given?
- (5) Are copying and searching fees shown on the application and in the fees book?

LIST OF STANDING RECORDS

- (1) Is the list of standing records properly prepared and up to date? See paragraph 55
- (2) Has a note been made against the books sent to the sadr?
- (3) Are books in good condition?

GENERAL

- (1) Are notices for (i) business hours and (ii) return of documents through the post and (iii) the table of fees hung up in a conspicuous place outside the office?
- (2) If few documents are returned by post, ask the sub-registrar to explain the advantages of the system to the public
- (3) See that receipts in receipt book A give the number and date of the postal receipts for documents returned through the post, and that the postal and addressees' receipts are pasted in a book See paragraph 155
- (4) Note increases or decreases under heads—

1 Sales	{	of town lands
	{	of agricultural lands,
2 Mortgages	{	of town lands,
	{	of agricultural lands,

 and elicit explanations
- (5) Are memoranda slips relating to agricultural land regularly sent to Tahsildars? See paragraph 163.
- (6) Have English inspection notes been translated for sub registrars unacquainted with English?
- (7) Is the seal of the office correct? Is it clean and in good order? Is care taken to obtain good impressions?
- (8) Is the apparatus for taking thumb impressions in working order and cleanly kept? Are the impressions clear and satisfactory?
- (9) Have all directions in previous inspection notes been carried out? If not, who is responsible for the omission?

APPENDIX IX

List of papers, etc., to be destroyed (paragraph 61).

No	Particulars of records.	Period of retention.
1	All correspondence, whether in English or in Vernacular, which is of an ordinary routine character, and which the registrar considers fit to be destroyed	One year.
2	Copies of documents unclaimed by applicants ..	Do
3	Statements of title-holders ..	Do.
4	Registers of forms of Invoice sent with Memoranda slips to Tahsildars.	Do.
5	Office copies of statements of temporary changes in sub-registrars	Do.
6	Robkars and reports relating to searches of incumbrances	Two years.
7	Unclaimed registered deeds ..	Do.
8	Applications for copies, searches and inspections with their indices.	Three years.
9	Other applications, petitions, appeals, records and papers of an ephemeral character not otherwise specified	Do.
10	Indent for forms and registers ..	Do.
11	Papers connected with the issue of commissions and the report of commissioners	Do
12	Periodical returns of sub-registrars' offices received by registrars, including ordinary correspondence connected therewith	Do.
13	Office copies of periodical returns including budgets and annual reports in registrars' and sub-registrars' offices and ordinary correspondence connected therewith	Do
14	Registrar's inspection notes ..	Do.
15	File books and despatch books	Do.
16	Commission bills ..	Do
17	Receipt books ..	Do
18	Files of postal receipts ..	Do
19	Miscellaneous correspondence on such subjects as bills, vouchers, indents, leave and accounts	Do.
20	Orders regarding registration mutarras in sub-registrars' offices if the original orders exist in registrars' offices	Do
21	Decrees of civil courts concerning registered deeds ..	Do

List of papers, etc., to be destroyed (paragraph 61)—concluded.

No	Particulars	Period of retention.
22	Copies of inspection notes of registrars	Three years.
23	Office copies of travelling allowance bills of registration muharrirs and sub registrars.	Do.
24	Refund vouchers	Do.
25	Papers regarding complaint against sub-registrars' muharrirs and peons	Do.
26	Copies of the orders of Deputy Commissioners cancelling, revising or altering registered deeds under Land Alienation Act.	Do.
27	Challans or Invoices of cash remitted to treasuries	Do.
28	Register of fees	Three years from the date of completion of the register.
28-A	List of papers, etc., proposed for destruction, with the registrar's orders thereon	Three years.
29	Contingent registers	Six years
30	Copies of inspection notes by Inspector General of Registration and his Personal Assistants.	Do.
31	Powers of attorney for registration authenticated under section 33 of the Registration Act	12 years.
32	Statements and depositions of witnesses or proceedings under sections 36, 41, 63, 72, 73 and 74 of Act XVI of 1908.	Do.
32-A	Indices Nos. I, II and III in the sub registrar's office	Until the books to which the indices relate are sent to the Registrar's office.
33	Establishment pay bills and acquittance rolls	35 years.
34	Settlement statements of establishment as it stood on 1st April.	Do.
35	Papers regarding transfers, punishments and suspensions of sub-registrars, muharrirs and peons.	Until the retirement or removal of the official concerned.
36	Correspondence regarding appointment and retirement of sub-registrars, muharrirs and peons	Three years after retirement or removal of the official concerned.

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